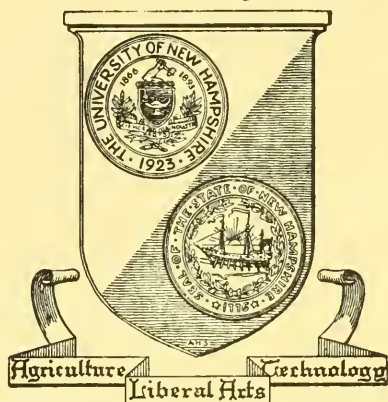


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LAWS
OF
NEW HAMPSHIRE
INCLUDING
PUBLIC AND PRIVATE ACTS, RESOLVES,
VOTES, ETC.

EDITED AND PUBLISHED UNDER THE DIRECTION OF THE
SECRETARY OF STATE

VOLUME SIX
SECOND CONSTITUTIONAL PERIOD
1792-1801

CONCORD, N. H.
EVANS PRINTING CO.
1917

JOINT RESOLUTION RELATING TO THE PRESERVATION AND
PUBLICATION OF THE EARLY STATE AND PROVINCIAL
RECORDS AND OTHER STATE PAPERS OF NEW HAMPSHIRE.

*Resolved by the Senate and House of Representatives in General Court
Convened:*

That His Excellency the Governor be hereby authorized and empowered, with the advice and consent of the Council, to employ some suitable person—and fix his compensation, to be paid out of any money in the treasury not otherwise appropriated—to collect, arrange, transcribe and superintend the publication of such portions of the early state and provincial records and other state papers of New Hampshire as the Governor may deem proper; and that eight hundred copies of each volume of the same be printed by the state printer, and distributed as follows: namely one copy to each [city and town in the state, one copy to such of public libraries in the state as the Governor may designate]¹ *public library in the state, and to each town in the state having no public library, which shall request the same, and to such publishers of newspapers requesting the same as keep such open to public use,*² fifty copies to the New Hampshire Historical Society, and the remainder placed in the custody of the state librarian, who is hereby authorized to exchange the same for similar publications by other states.

³ The governor and council may authorize the secretary of state from time to time to collect, arrange, transcribe, and publish such portions of the early state and provincial records and other state papers of New Hampshire as they shall deem proper. Eight hundred copies of each volume shall be printed.

On publication the secretary of state shall send one copy to each of the following officers and bodies: To the governor and members of the council; to the judges of the supreme and superior courts; to each free public library in the state; to the town clerks of towns having no free public library for the use of the town; to such other officers and bodies as the governor and council shall designate. He shall send fifty copies to the New Hampshire Historical Society and deposit the residue in the state library.

STATE OF NEW HAMPSHIRE.

TO THE SECRETARY OF STATE:

You are hereby authorized to arrange, transcribe and superintend the publication of the Laws of New Hampshire, public and private, in chronological order, from the period when the Constitution of 1792 took effect, till the time when the regular annual publication of the Statutes commenced.

You will also cause such explanatory notes, citations, table of contents and indexes as you may deem useful to be prepared and made a part of the work.

This I deem proper to be done, and directions are given in accordance with the authority vested in me as Governor by the provisions of the joint resolution relating to the preservation and publication of portions of the state and provincial records and other state papers of New Hampshire approved August 4, 1881, and also by the act of February 27, 1917, Chapter 29, Sections 27 and 28.

Given under my hand at Concord this 27th day of July, 1917.

HENRY W. KEYES,
Governor.

With the advice and consent of the council.

¹ The words enclosed in brackets were stricken out of the Joint Resolution of August 4, 1881, by the act of March 20, 1901, Session Laws, new series, vol. 7, part 2, chapter 71, sect. 3, p. 558.

² By the same act, the words in italics were inserted as a substitute for the words stricken out, as above stated.

³ Chapter 29, sections 27 and 28, Laws of 1917.

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INTRODUCTORY NOTE.

This volume is the sixth published in the series and embraces the laws of New Hampshire enacted during the first part of its history as a constitutional unit of the federal government. It is issued from the office of the secretary of state in accordance with the action of the governor and council taken at a regular meeting held July 28, 1916, when the following vote was adopted:

"On motion of Councilor Wallace, voted: That the secretary of state have supervision of the editing of state papers after September 1, 1916."

This action of the governor and council was prompted solely on the grounds of economy, a saving of the salary which had previously been paid to the editor of state papers being the result, and inasmuch as the services were retained of Miss Isabelle E. Smith, who had served under the former editors, Hon. Albert S. Batchellor of Littleton and Hon. Henry H. Metcalf of Concord, the work was continued without material interruption. Therefore, this volume was edited and compiled in the office of the secretary of state and carries the work down to 1801.

There are about thirty-four years remaining of the laws which have not been published in printed form. At the rate the work has been done in the past it will take about four years more to complete it, although it is noticeable that as time advances legislation is more prolific, and for that reason the succeeding years may bring forth more laws per year than have been recorded in the past. The only expense to the state at the present time for carrying on this work is the salary paid to the clerk and the cost of printing and binding, which is very small in comparison to the convenience derived in having all of the old laws in available form for reference and study.

The period of time in the history of New Hampshire that is covered by this volume is one fraught with many new enterprises, educational and otherwise, which were destined to have an important influence upon the progress and material development of the state. The first public library in the state was established at Dover, December 18, 1792, and in the next eight years there were incorporated fifty-seven public libraries in different parts of the state, showing the awakening influence of the responsible duties of citizenship that comes to a people and the desire which they manifest to fit themselves to properly perform such duties and obligations as may come to them as citizens living under a free and liberal form of government.

The period from 1781 to 1801 marked a time of increasing educational interest. Common schools were established wherever a sufficient number of pupils could be brought together to warrant them in so doing, often entailing the necessity of several miles' travel for some of the scholars. Academies were encouraged and several were established in different parts of the state. Phillips Exeter was incorporated in 1781, New Ipswich Academy in 1789, Chesterfield Academy in 1790, Atkinson and Charlestown Academies in 1791, Gilmanton and Haverhill Academies in 1794 and Salisbury Academy in 1795. Gilmanton Academy was burned in 1808, but it is related that within five weeks another building was erected in its stead. Haverhill Academy has the distinction of having educated Justice Nathan Clifford of the United States Superior Court, and its principal in 1836, Peter T. Washburn, later became governor of Vermont. An academy established at Plainfield in 1785 is presumably the forerunner of Kimball Union Academy, which has maintained a most honorable and useful career since its foundation in 1813.

On January 3, 1792, the first bank in the state was chartered. It was called the New Hampshire Bank and was located at Portsmouth. It is said to have been the sixth bank established in the United States. The state took \$10,400 in stock of this bank and held the same until 1840, when a portion of it was given for the erection of the first building in the New Hampshire Asylum for the Insane.

In 1796 the charter for the first New Hampshire turnpike was granted. This turnpike extended from Concord to Piscataqua Bridge near Portsmouth, and was the first of a number of large and important turnpikes to be established by a few public spirited individuals in the state. From these turnpikes branches were run out in different directions, reaching into nearly all sections of the state and they were of as much benefit to the people of those days as the modern methods of travel are to the people of today.

The chief magistrate of the state was recognized by the name of governor in accordance with the change made in the state constitution adopted in 1792. Under the old constitution he had been styled president, but under the new the name of governor was adopted with the title "His Excellency" added. Also a change was made in regard to the election of senators. Under the old constitution the senate had consisted of twelve members,—five from Rockingham county, two from each of the counties of Strafford, Hillsborough and Cheshire, and one from Grafton county. Under the new constitution the number remained the same but provision was made for the division of the state into twelve districts, based upon valuation, to be as nearly equal as practical.

The governor of the state during a larger portion of the time represented in this volume was John Taylor Gilman, who held the

office for a longer period than any other governor elected by the people. His first election came in 1794, and he was elected every year thereafter until 1805, then again in 1813, 1814 and 1815, making fourteen years of service as governor of the state. Governor Gilman first became a candidate for governor in 1793 and he was a candidate for that office every year, barring the years 1809-'10-'11, until 1816, when William Plumer was elected, making twenty years in which he sought the governorship, fourteen of which he was successful in his endeavors. Governor Gilman was a man far beyond the average in natural ability. He came from one of the oldest and most honored families of that name from the town of Exeter. His education was obtained from what the common schools provided in those times, supplemented by practical learning in ship-building, trade and agriculture. He was a man of decisive character, supported by a large fund of common sense, and endowed with that degree of frankness and courage that made him a power among men. He had a high sense of honor and the utmost contempt for anything that appeared to be devious and underhanded, and honesty was considered by him to be an essential attribute to a good citizen. That he held the office of governor for so many years is conclusive evidence that he held the confidence of the people of the state to a remarkable degree.

It seems to be a matter of sufficient interest to note the death of Rev. Jeremy Belknap, which took place in Boston, June 20, 1798. Dr. Belknap had lived in New Hampshire for a greater portion of his life and took a great deal of interest in everything that pertained to the welfare of the state, not only in regard to the religious condition of its people but to its political and business interests as well. His history of New Hampshire is considered a classical production and it has been referred to as an authority by all subsequent writers upon historical subjects, especially those pertaining to New Hampshire. He exhibited a marvelous degree of patience and perseverance in working out the many lines of historical matter and revealing numerous items of facts heretofore unknown which could only be brought to light by unremitting toil and attention. Public documents in those days were in a condition that made research work most difficult. Everything was in manuscript form and was more or less obliterated owing to the lapse of time and negligent care. No indexing or other form had been thought of by those having records in charge, and it was by the exercise of the utmost diligence and patience on the part of the historian that historical information could be obtained and made available for the benefit of the public. The noted French writer, M. de Tocqueville, thus speaks of Dr. Belknap's work:

"The history of New Hampshire, by Jeremy Belknap, is a work held in merited estimation. The author gives extremely precious details concerning the political and religious principles of the Puri-

tans on the causes of their emigration and their laws. The reader of Belknap will find more general ideas and more strength of thought, than are to be met with in other American historians, even to the present day."

The third volume of Belknap's History of New Hampshire closes with an address to the people of the state, and we venture to quote the concluding paragraph, giving the author's idea of a happy people and which, if it could be realized, would work such a change in the condition of society as to make life "one long, sweet dream." He says:

"Were I to form a picture of happy society, it would be a town consisting of a due mixture of hills, valleys, and streams of water. The land well fenced and cultivated; the roads and bridges in good repair; a decent inn for the refreshment of travelers, and for public entertainments. The inhabitants mostly husbandmen; their wives and daughters domestic manufacturers; a suitable proportion of handicraft workmen, and two or three traders; a physician and lawyer, each of whom should have a farm for his support. A clergyman, of any denomination which should be agreeable to the majority, a man of good understanding, of candid disposition, and exemplary morals; not a metaphysical nor a polemical, but a serious and practical preacher. A schoolmaster, who should understand his business and teach his pupils to govern themselves. A social library, annually increasing, and under good regulation. A club of sensible men, seeking mutual improvement. A decent musical society. No intriguing politician, horse-jockey, gambler, or sot; but all such characters treated with contempt. Such a situation may be considered as the most favorable to social happiness, of any which this world can afford."

Dr. Belknap was admirably fitted for the work which he followed. He was a graduate of Harvard College in 1762, and after graduation he engaged in teaching in Portsmouth and Greenland. Then he accepted a call to preach at a church in Dover, where he remained for twenty years, carrying on his literary work at the same time that he attended to the duties connected with his church. During the Revolutionary War he was an ardent patriot, contributing much to the cause by voice and pen, serving as chaplain in the Continental Army in Cambridge, Massachusetts, although never regularly enlisted. He was among the first to advocate the abolition of the slave trade and was always a loyal friend of the negro. In 1787 he became pastor of the Federal Street Church, Boston, where he remained until the time of his death, leaving a widow and five children. His granddaughter, Mrs. J. (Belknap) Marcou, published a short history of his life in 1847, from which were gathered the principal items contained in this brief sketch.

EDWIN C. BEAN,
Secretary of State.

AUGUST, 1917.

LAWS OF NEW HAMPSHIRE.

[FIRST GENERAL COURT.]

[*Held at Dover and Exeter, Two Sessions, June 6, 1792, to December 28, 1792.*]

[OFFICERS OF THE GOVERNMENT.]

JOSIAH BARTLETT, PRESIDENT.

JOSEPH PEARSON, SECRETARY.

JOHN TAYLOR GILMAN, TREASURER.

JOHN PRENTICE, ATTORNEY GENERAL.

EBENEZER SMITH, PRESIDENT OF THE SENATE.

JOHN SAMUEL SHERBURNE, SPEAKER OF THE HOUSE.

[MEMBERS OF THE COUNCIL.]

Phillips White,	South Hampton.
Joseph Badger, Jr.,	Gilmanton.
Robert Wallace,	Henniker.
Lemuel Holmes,	Surry.
Jonathan Freeman,	Hanover.

[MEMBERS OF THE SENATE.]

Ebenezer Smith,	Meredith.
Nathaniel Gilman,	Exeter.
Christopher Toppan,	Hampton.
John Waldron,	Dover.
Joshua Atherton,	Amherst.
Jonathan Freeman,	Hanover.
Abiel Foster,	Canterbury.
Robert Wallace,	Henniker.
Amos Shepard,	Alstead.
James Sheafe,	Portsmouth.
Nathaniel Peabody,	Atkinson.
John Bellows,	Walpole.

[MEMBERS OF THE HOUSE.]

Alexandria.	See New Chester.	
Allenstown.	See Northwood.	
Alstead,		Oliver Shepard.
Amherst,		Joshua Atherton.†
Antrim.	See Hancock.	
Barnstead,		John Nutter.
Barrington,		Isaac Waldron.
Bartlett.	See Conway.	
Bath,	}	
Lyman,		
Landaff,		Peter Carleton.
Gunthwaite,		
Littleton and Dalton,		
Bedford,		Stephen Dole.
Boscawen,		Enoch Gerrish.
Brentwood,		Richard Bean.
Bridgewater.	See New Chester.	
Burton.	See Tamworth.	
Campton.	See Holderness.	
Canaan.	See Orange.	
Candia,		Nathaniel Emerson.
Cardigan.	See Orange.	
Charlestown and	}	Benjamin Moore.
Langdon,		
Chester,		Joseph Blanchard.
Chesterfield,		Eleazer Jackson.
Chichester and	}	John Cram.
Pittsfield,		
Claremont,		Jabez Upham.
Cockburne.	See Lancaster.	
Cockermouth.	See New Chester.	
Colburne.	See Lancaster.	
Concord,		John Bradley.
Conway,	}	
Bartlett and		Andrew McMillan.
Locations,		
Cornish,		James Wellman.
Coventry.	See Haverhill.	
Croydon.	See Newport.	
Dalton.	See Bath.	
Dartmouth.	See Lancaster.	
Deerfield,		Joseph March.
Deering.	See Hancock.	
Derryfield.	See Litchfield.	

Dorchester.	See Lyme.	
Dover,		John Kielle.
Dublin and	}	Samuel Twitchell.
Packersfield,		
Dunstable,		Noah Lovewell.
Durham,		Ebenezer Smith.
East Kingston.	See South Hampton.	
Eaton.	See Tamworth.	
Enfield.	See Orange.	
Epsom.	See Northwood.	
Exeter,		Benjamin Connor.
Fitzwilliam,		Abner Stone.
Francestown,		Jonathan Fisk.
Gilmanton,		Joseph Badger, Jr.†
Gilsum.	See Surry.	
Goffstown,		Robert McGregore.
Grafton.	See Orange.	
Greenland,		Joshua Weeks.
Gunthwaite.	See Bath.	
Hampstead,		William Marshall.
Hampton,		Joseph Dow.
Hampton Falls and	}	Nathan Brown.
Seabrook,		
Hancock,	}	John Duncan.
Antrim and		
Deering,	}	Samuel Brooks.
Haverhill and		
Coventry,	}	Timothy Tilton.
Hawke and		
Sandown,	}	Timothy Gibson.
Henniker,		
Hillsborough,	}	Benjamin Pierce.
Holderness,		
Campton and	}	G. Livermore.
Thornton,		
Hollis,		Jeremiah Ames,
Hopkinton,		Benjamin Darling.
Jaffrey,		Abel Parker.
Keene,		Jeremiah Stiles.
Kingston,		John Eastman.
Lancaster,	}	
Northumberland,		
Stratford,		
Dartmouth,		John Weeks.
Piercy,		
Cockburne and		
Colburne,		

Landaff.	See Bath.	
Langdon.	See Charlestown.	
Lebanon,		David Hough.
Litchfield and	}	Robert Parker.
Derryfield,		
Littleton.	See Bath.	
Londonderry,		James McGregor.
		John Bell.
Loudon,		Jonathan Smith.
Lyman.	See Bath.	
Lyme and	}	John Fairfield.
Dorchester,		
Lyndeborough,		Peter Clark.
Mason.	See Raby.	
Meredith and	}	Ebenezer Smith.‡
New Hampton,		
Merrimack,		William Barron.
Middleton.	See Wakefield.	
Moultonborough,	}	Nathan Hoit.
Tuftonboro,		
Wolfeboro and		
Ossipee,		
New Chester,		
Bridgewater,	}	Thomas Crawford.
Alexandria and		
Cockermouth,		
New Durham and	}	Joseph Pierce.
New Durham Gore,		
New Grantham.	See Protectworth.	
Newington,		Ephraim Pickering.
New Ipswich,		Charles Barrett.
Newmarket,		James Hill.
Newport and	}	Uriah Wilcox.
Croydon,		
North Hampton,		Moses Leavitt.
Northumberland.	See Lancaster.	
Northwood,	}	Jonathan Clark.
Allenstown and		
Epsom,		Michael McClary.
Nottingham,		Jonathan Cilley.
Nottingham West,		Asa Davis.
Orange,	}	William Richardson.
Canaan,		
Grafton,		
Enfield and		
Cardigan,		

Orford and	}	Nathaniel White.
Wentworth,	}	
Ossipee.	See Moultonborough.	
Packersfield.	See Dublin.	
Pelham,		James Gibson.
Pembroke,		Richard Bartlett.
Peterborough,		John Smith.
Piercy.	See Lancaster.	
Piermont and	}	William Tarlton.
Warren,	}	
Pittsfield.	See Chichester.	
Plainfield,		Daniel Kimball.
Plymouth and	}	Alexander Craige.
Rumney,	}	
Poplin.	See Raymond.	
Portsmouth,		George Gains.
		John Peirce.
		John S. Sherburne.
Protectworth and	}	Samuel Duncan.
New Grantham,	}	
Raby and	}	Obadiah Parker.
Mason,	}	
Raymond and	}	Ezekiel Godfrey.
Poplin,	}	
Rindge,		Daniel Rand.
Rochester,		James Howe.
		Aaron Wingate.
Rumney.	See Plymouth.	
Salem,		Jeremiah Dow.
Salisbury,		John C. Gale.
Sanbornton,		William Harper.
Sandown.	See Hawke.	
Sandwich,		Daniel Beede.
Seabrook.	See Hampton Falls.	
Sharon and	}	Francis Cragin.
Temple,	}	
Somersworth,		James Carr.
South Hampton and	}	Phillips White.†
East Kingston,	}	
Stoddard and	}	Thomas Penniman.
Washington.	}	
Stratford.	See Lancaster.	
Stratham,		Jonathan Wiggin.
Surry,	}	
Gilsum and	}	Lemuel Holmes.†
Sullivan,	}	

Swanzey,	Elisha Whitcomb.
Tamworth,	} Jacob Blaisdell.
Eaton,	
Burton and	
Locations,	
Temple. See Sharon.	
Thornton. See Holderness.	
Tuftonboro. See Moultonborough.	
Wakefield and	} Carr Leavitt.
Middleton,	
Walpole,	Thomas Bellows.
Warner,	James Flanders.
Warren. See Piermont.	
Washington. See Stoddard.	
Wentworth. See Orford.	
Westmoreland,	Archelaus Temple.
Wilton,	Abiel Abbott.
Wolfeboro. See Moultonborough.	

† Elected to the Council.

‡ Elected to the Senate.

[*First Session, Held at Dover, June 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 1792.*]

[CHAPTER 1.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT, ENTITLED, "AN ACT TO ENABLE BENJAMIN BROWN J^R TO REVIEW AN ACTION IN THE INFERIOR COURT OF COMMON PLEAS IN THE COUNTY OF HILLSBOROUGH"—

[Passed June 13, 1792. Original Acts, vol. 13, p. 84; recorded Acts, vol. 6, p. 525. The act referred to is dated December 24, 1791, Laws of New Hampshire, vol. 5, p. 811.]

Whereas Benjamin Brown Junior of Kensington in the County of Rockingham, husbandman, petitioned the General Court, at their Session, holden in Portsmouth in November last, representing, That at the Inferior Court of Common pleas, for the County of Hillsborough holden at Amherst, on the second Tuesday of June last, an action was commenced in the name of Amos Page of Rutland in the County of Rutland and State of Vermont against him upon a certain Note of hand, purporting to be a Note given by him the said Brown to one Jesse Prescott promising to pay him or his order the sum of Thirty pounds lawful money on demand, dated the tenth day of April Anno Domini 1787 and purporting to be endorsed by the said Prescott to the said Page. That, in fact, he owed nothing upon said note, as he could have made appear on trial, if he had known of the suit. That judgment was rendered against him by default at said Court, that he never had any knowledge of the suit, till execution was issued. Wherefore he prayed relief in the premises, that he might be empowered to review said Action and plead thereto in the same manner, as if said action had been then in Court and he had not been defaulted. Which said facts having been substantiated and the prayer of his petition appearing reasonable, it was enacted, that said Brown should be enabled to review said action at the Inferior Court of Common pleas to be holden at Amherst in said County of Hillsborough on the first Tuesday of March then next; whereas said Inferior Court was not holden at said Amherst untill the second Tuesday of the same March. And whereas by that fatal mistake the wise intentions of the General Court have been frustrated and the said Brown unfortunately precluded the benefit of the said review. For remedy whereof—

Be it enacted by the Senate and house of Representatives in General Court convened, That the said Benjamin Brown be, and he hereby is enabled to review the said Action at the Inferior Court of Common pleas next to be holden in Amherst in said County of Hillsborough on the first Tuesday of September next. And the Jus-

tices of said Court are hereby authorized and empowered to sustain said action of review, and give said Brown liberty to plead thereto in as full and ample manner as he might have done at the first entry of the original action. And said Brown shall bring forward attested copies of all papers in said cause, and shall serve Jesse Prescott of Deerfield and Philip Tilton Esquire of East-Kingston with a copy of this Act one month prior to the time of holding said Inferior Court which shall be deemed sufficient notice and service for the said Page in defending said Action of Review—

[CHAPTER 2.]

State of }
New Hampshire. }

AN ACT TO EMPOWER SILAS BETTON GUARDIAN OF THE CHILDREN OF SAMUEL BETTON LATE OF NEWBOSTON IN SAID STATE DECEASED TO SELL THE REAL ESTATE WHICH WAS THE SAID SAMUEL'S FOR THE BENEFIT OF HIS HEIRS—

[Passed June 14, 1792. Original Acts, vol. 13, p. 85; recorded Acts, vol. 6, p. 526.]

Whereas the said Silas Betton has petitioned the General Court setting forth that the real estate of the said Samuel Betton deceased is under such circumstances with regard to fences, improvements & otherwise that the money for which the same would now sell, with the interest which would legally accrue therefrom, will at the time the said Heirs shall arrive at twenty one Years of age, be much more advantageous to said Heirs, than the real Estate if preserved for them till that time, & therefore praying authority from this Court to sell the same, which petition appearing reasonable— Therefore

Be it enacted by the Senate & House of Representatives in General Court convened— that the said Silas be authorized & empowered, and he is hereby authorized and empowered to sell at public or private Sale, all the real Estate of which Samuel Betton late of Newboston deceased died seized, and to make a good & valid conveyance to all intents and purposes, to any person or persons who shall purchase the same—

Provided he the said Silas shall before the execution of any deed of said Estate give bond to the Judge of Probate for the County of Hillsborough with two sufficient suerties for the faithful improvement of the monies arising from such sale or sales for the benefit and advantage of said Heirs—and for the payment to them when they shall arrive at the age of twenty one years the principal and interest thereof, or so much thereof as shall appear to remain in his hands upon a settlement of his account as Guardian for said heirs, with the Judge of Probate for said County according to the order which the said Judge may make thereon

[CHAPTER 3.]

State of)
New Hampshire.)

AN ACT TO ALTER THE TIME OF HOLDING THE ANNUAL MEETING IN THE TOWN OF LYNDBOROUGH IN THE COUNTY OF HILLSBOROUGH FROM THE SECOND TO THE FIRST TUESDAY OF MARCH ANNUALLY.—

[Passed June 15, 1792. Original Acts, vol. 13, p. 86; recorded Acts, vol. 6, p. 529.]

Whereas the Selectmen of the town of Lyndborough in the County of Hillsborough have petitioned the General Court representing, That by the charter of said Town the annual meeting is holden on the second Tuesday of March which is the day on which the Court of Common Pleas is holden in the said County of Hillsborough, which renders the attendance on said Court impracticable. And whereas many other inconveniences arise to said Town by reason of said meeting's being holden in said Town on the second Tuesday of March annually. They therefore prayed the General Court to alter the time of holding their annual meeting from the second to the first Tuesday of March forever. The prayer of which petition appearing reasonable—

Therefore—

Be it enacted by the Senate and house of Representatives in General Court convened, That the time for holding the annual meeting in the town of Lyndborough in the County of Hillsborough be altered from the second to the first Tuesday of March forever, any thing in the said Charter notwithstanding—

[CHAPTER 4.]

State of)
New Hampshire.)

AN ACT TO INCORPORATE THE TOWNSHIP OF HEBRON

[Passed June 15, 1792. Original Acts, vol. 13, p. 87; recorded Acts, vol. 6, p. 528.]

Whereas a petition hath been preferred by certain persons Inhabitants of the Towns of Plymouth and Cockermouth to the General Court praying that a certain part of the Towns of Plymouth and Cockermouth in the County of Grafton be erected into a Separate Township viz. beginning at the southwesterly corner of the lot Number sixteen in the first Range and first Division in said Cockermouth, Thence running north thirty degrees east to Rumney line which

makes about a mile in Width together with a part of Plymouth aforesaid hereafter described viz beginning at a hemlock tree standing on the Patent line so Called or the dividing line between Plymouth and Bridgewater one mile and one hundred and thirty Seven rods easterly from Newfound pond, from thence north seventeen degrees west two miles and two hundred and Twenty Six rods to the Southwest Corner of Benjamin Taylor's lot, from thence north fifty five Degrees west forty eight rods to the Southeast corner of the lot numbered three in the Second Range from thence north sixty degrees west on the dividing lines between the lots number three and four in the first and second range in the last division of fifty Acre lots and so on the same Course to Cockermouth line containing all the land within said lines and bounded on the north by Rumney and Southeasterly by the Towns of Orange Alexandria and Bridgewater—

The prayer whereof appearing reasonable, Therefore Be it enacted by the Senate and house of Representatives in General Court convened, that the lands within the aforesaid bounds be erected and formed into a Seperate Township by the name of Hebron, and that the Inhabitants thereof be formed into a body politic & corporate to have Succession forever, and be and hereby are enfranchised with all the privileges & invested with all the immunities that are Necessary or incident to any Town or Corporation within this State—And that William Cumings be and hereby is impowered to call the first meeting for choosing Town-Officers and to preside at the same until a Moderator be chosen, in all things pursuing the Requisitions of Law—and the Annual meeting for choosing Town officers shall be holden on the second Tuesday of March—And be it further enacted that the Tax of two pence $\frac{7}{8}$ acre granted the Town of Cockermouth aforesaid for the purpose of mending and repairing the highways viz that part thereof now uncollected and due upon the lands within the Bounds before described shall when the same is collected be paid over to the Select men of the said Town of Hebron to be appropriated towards mending and repairing the highways in the said Town of Hebron Provided always that nothing in this act shall prevent the Collecting any taxes now due upon said lands or by the Inhabitants thereof or that may be assessed prior to a New Proportion being established for Assessing State Taxes

[CHAPTER 5.]

State of }
New Hampshire. }

AN ACT TO ENABLE STEPHEN DEARBORN TO SELL CERTAIN LANDS

[Passed June 16, 1792. Original Acts, vol. 13, p. 88; recorded Acts, vol. 6, p. 532.]

Whereas a Petition has been Prefer^d to the General Court by Stephen Dearborn setting forth that in the year seventeen hundred & ninety one he was appointed by the Hon^{ble} the Judge of the Probate of wills, &c for the County of Rockingham a Guardian for three minors (viz) Mary Jeane & Elizebeth Craforde and that s^d minors had left to them by their Grandmother Mary Kerr of Londonderry widow Dec^d three peices of Land two of which contains about fifty acres of unimprove^d land in the Township of Chester the other contains about twelve acres one of which is orchard land and lying in Londonderry that said lands are of very little Income at present and dayly Growing worse & S^d Guardian conceiving it wou^d be much to the advantage of his wards to have the Lands sold and the money put to use he therfore prays that he as Guardian may be impowered to Sell S^d Land for the Benefit of s^d minors which prayer appearing Reasonable—

Therefore—Be it Enacted by the Senate and house of Representatives in General Court Conven^d that said Guardian be and he herby is fully authorised & Impowered to Sell the lands above mentioned at Public sale & to make and Execute a Good & Valid conveyance therof to the purchaser or purchasers any Law Usage or Custon to the Contrary Notwithstanding—

Provided nevertheless that before s^d Guardian shall make conveyance of s^d Lands he shall Give Bond with two Sufficient sureties to the Judge of the Probate for the County of Rockingham for the time being to account for the proceeds of such sale when made together with Interest therfor to s^d minors when they Shall arive to ful age or so much as shall be found Remaining in his hands on settlement with s^d Judge of probate agreeable to the order or decree of allowance that he may Pass thereon

[CHAPTER 6.]

State of }
New Hampshire. }

AN ACT TO PREVENT OBSTRUCTIONS AND IMPEDIMENTS TO NAVIGATION IN THE RIVER PISCATAQUA AND HARBOUR OF PORTSMOUTH.

[Passed June 16, 1792. Original Acts, vol. 13, p. 89; recorded Acts, vol. 6, p. 530. Laws, 1797 ed., p. 391; id., 1805 ed., p. 358; id., 1815 ed., p. 461; id., 1830 ed., p. 281.]

Whereas masters and owners of Vessels or persons belonging to them, boatmen and others have frequently thrown out ballast, and other anoyances from Vessels and boats, as well as from the Shore or bank into said River and Harbour, tending to fill up or lessen the Channel, and obstruct the passage near the wharves, to the detriment and obstruction of Navigation; for remedy whereof;

Be it Enacted by the Senate and House of Representatives in General Court convened; That from and after the first day of August next, no refuse whatever shall be cast or thrown into Said Harbour or said River within the Limits hereafter mentioned, excepting such only as being naturally carried off by the Current does not tend to form or promote the obstructions aforesaid.—

And if any Person shall thereafter unlade cast or throw out of any Ship Vessel or Boat of any kind, or from the shore or Bank or from any Wharf any ballast, rubbish, Gravel, Earth, Stone, dirt, ashes, or filth, into said Harbour or into said River within the following Limits, Viz. From the Light house at the entrance of said Harbour, up said River to Boiling Rock so called, or shall be aiding or assisting therein, every such Person, shall for every such offence forfeit and pay a sum not less than twenty nor more than forty Shillings, to be recoverd by action complaint, or information before any Justice of Peace or Court of Record proper to try the Same, The one half of which sum shall be to the complainant, and the other half to the prosecutor.

And the Town of Portsmouth shall annually at the meeting for the choice of Town officers, or at any other Legal Town Meeting, choose a discreet Person, to oversee and Superintend said Harbour and said River within the Limits aforesaid whose peculiar business and duty it Shall be, to See that this act be observed, and to prosecute any breaches thereof, which Officer shall be called the Harbour master

[CHAPTER 7.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS FOR THE PURPOSE OF
 BUILDING A BRIDGE OVER MERRIMACK RIVER IN THE COUNTY OF
 HILLSBOROUGH AND FOR SUPPORTING THE SAME

[Passed June 16, 1792. Original Acts, vol. 13, p. 90; recorded Acts, vol. 6, p. 533. See additional act of December 15, 1796, recorded Acts, vol. 10, p. 112. An act of the same title as this act (1792) was passed January 7, 1795, recorded acts, vol. 9, p. 20, but it refers to a different bridge.]

Whereas the erecting a Bridge over Merrimac River below Amoskeig falls between the towns of Goffstown and Derryfield will be of great public Utility and whereas Robert Macgregore Esq^r and others have petitioned this Court for Liberty to build the same and to be incorporated for that purpose

Be it therefore enacted by the Senate and House of Representatives in General Court convened that Robert Macgregore, John Langdon, Edward St Loe Livermore Robert Means Nathaniel Adams Nathaniel Peabody Richard Bartlet William Bell William Blodget George Ried James Macgregore John Smith John Peirce James Sheafe John Taylor Gilman together with those who are or who shall become proprietors in said Bridge, so long as they continue proprietors thereof shall be a corporation and Body Politic for the purpose aforesaid under the Name of the Proprietors of the Amoskeig Bridge, and by that Name may sue and be sued to final Judgment and Execution and do and suffer all matters acts and things which Bodies politic may or ought to do or suffer, and the said Corporation shall and may have and use a Common seal and the same may break alter and renew at pleasure.

And be it further enacted that the said Robert Macgregore Esquire shall call a meeting of said Proprietors by advertizement in the New Hampshire Gazette to be holden at any suitable time and place after fourteen Days from the first publication of said Advertizement: And the proprietors by a Vote of the majority of those present or represented at said meeting (according and allowing one vote to each share in all Cases) shall choose a Clerk who shall be sworn to the faithful discharge of his said Office and shall also agree on a method of calling future meetings; and at the same time or any subsequent meetings may elect such officers and make and establish such rules and bye laws as to them shall seem necessary or convenient for the regulation & government of the said Corporation for carrying into effect the purpose aforesaid and for collecting the toll herein after granted and established; and the same Rules and bye Laws may cause to be executed and may annex penalties to the Breach thereof not exceeding forty shillings for any

one Breach provided the said Rules and bye Laws are not repugnant to the Constitution and Laws of this state And all Representations at any meetings of said Corporation shall be proved by writing signed by the person to be represented which shall be filed with the Clerk. And this Act and all Rules, bye Laws regulations and proceedings of the said Corporation shall be fairly and truly recorded by the Clerk in a book or books to be provided and kept for that purpose. And be it further enacted by the Authority aforesaid that the proprietors aforesaid be and they are hereby permitted and allowed to erect a bridge over Merrimack river below Amoskeig falls between the Towns of Goffstown and Derryfield in the County of Hillsborough. And the said proprietors be and they are hereby authorized and empowered to purchase any Lands adjoining said bridge and to hold the same in fee simple. And the share or shares of any of said proprietors may be transferred by Deed duly executed and acknowledged and recorded by the Clerk of said proprietors on their Records.

And be it further enacted that for the purpose of reimbursing the said Proprietors the money by them to be expended in building and supporting the said Bridge a toll be and hereby is granted and established for the Benefit of said proprietors according to the Rules following namely, for each foot passenger one cent, for each horse and rider three Cents, for each Horse and Chaise chair & sulkey ten Cents, for each riding sleigh drawn by one horse three Cents, for each riding sleigh drawn by more than one horse five Cents, for each Coach, Chariot, phaeton, or other four wheel carriage for passengers twenty five Cents, for each Curricule twenty Cents, for each Cart or other Carriage of Burthen drawn by one Beast nine Cents, for each waggon Cart or other Carriage of burthen drawn by two Beasts twelve Cents, and more than two, twenty Cents, for each horse or neat Creature exclusive of those rode or in Carriages two Cents, for sheep and swine one half a Cent each, and to each team one person and no more shall be allowed as a driver to pass free of toll, and at all times when the toll gatherer shall not Attend his duty the Gate or gates shall be left open.

Provided nevertheless that after fifty years from the passing this act the Justices of the supreme Judicial Court shall from time to time make such alterations in the Rates of toll to be received as aforesaid as to them shall appear to be Just except that the Nett proceeds of the toll So to be received shall not be less than twelve per. Centum per Annum of the Costs of Building said Bridge after deducting the annual expenditures for the repairs of the same. Nor shall the Rate of toll be set at a higher rate than is allowed by this Act. And provided said Bridge be built within four years from the passing this act—

[CHAPTER 8.]

State of }
New Hampshire. }

AN ACT EMPOWERING THE SELECTMEN OF BARNSTEAD IN THE COUNTY OF STRAFFORD TO ASSESS AND LEVY ON THE LANDS IN SAID BARNSTEAD TWO PENCE ON EACH ACRE FOR THE PURPOSE OF REPAIRING THE BRIDGE OVER SUNCOOK RIVER, AND ALSO CERTAIN HIGH WAYS IN SAID TOWN.—

[Passed June 16, 1792. Original Acts, vol. 13, p. 91; recorded Acts, vol. 6, p. 536. See additional acts of January 15, 1794, recorded Acts, vol. 8, p. 231, and June 17, 1796, recorded Acts, vol. 10, p. 13.]

Whereas the Inhabitants of said Barnstead have Petitioned the General Court, setting forth, that a large Bridge in said Town, over Suncook river, on the Road from Coos to Dover is almost worn out, and that it is absolutely necessary the same should be repaired, and praying that they might be empowerd to raise by tax two pence on each Acre of all the Lands in said Town to be appropriated to the sole purpose of repairing said Bridge & clearing two roads; the one on the North side of said Barnstead leading from Gilmantown to Barrington and the other leading from Gilmantown to said Barrington through the Center of said Barnstead; which fact being Substantiated, and the prayer of said Petition appearing reasonable.—

Therefore, Be it enacted by the Senate & house of Representatives, in General court convened, that the Selectmen of Barnstead aforesaid, be and they hereby are Authorized, and empowered, to assess, and Levy, a tax of two pence on each and every Acre of the Lands in said Barnstead improved and unimproved (Lots appropriated to public uses excepted) for the sole purposes aforesaid, and may agree with a Collector to Collect the same the one half thereof in one year and the other half in two years from the passing of this Act; and the sum of Sixty pounds thereof and no more, may and shall if necessary be laid out to repair the said Bridge under the inspection and direction of John Nutter and Samuel Nelson of said Barnstead; and the surplus of the sum so Collected above what is absolutely necessary for the Repairing said Bridge may and shall be laid out and expended in and upon the clearing and making Passable two Roads on the North side of said Barnstead the one leading from said Gilmantown to Barrington and the other leading from said Gilmantown to New Durham Gore and Rochester under the Direction and at the discretion of Nicholas Dudley Esq^r of said Barnstead.—

And it is further enacted by the Authority aforesaid that the owners of the said Lands shall have the Liberty of working out their taxes assessed as aforesaid, upon the said Bridge & highways,

under the direction of the said John Nutter Samuel Nelson & Nicholas Dudley respectively, at the rate of three Shillings 7^d Day for an able bodied Man, said Labour to be performed upon request by the Directors aforesaid the one half within the term of One Year and the other half within the term of Two Years Aforesaid

And the said Collector shall publish in the New Hampshire Gazette, three weeks successively previous to the last day of August next the aforesaid tax, setting forth how the same may be paid, and if the one half the sum so assessed on each owner respectively shall remain unpaid at the expiration of the term of one Year aforesaid his or her Land shall be advertized for sale, and the Collector shall proceed to sell so much of the Lands of such delinquents as will pay said one half of said sums & incidental charges & make and execute Deeds thereof to the purchasers in the same manner and form as Collectors of State Taxes on Lands of Non-residents are by Law authorized and directed to.—

And if at the expiration of the term of two years the other half of the said tax remains unpaid the Collector shall & may proceed in the same way and manner to sell so much of the Lands of such delinquents as will pay the said sums remaining unpaid & incidental Charges & make and Execute Deeds thereof accordingly.—

And the said Owners whose Lands are so sold as aforesaid shall have the same Liberty, time & mode of Redeeming the same which those whose Lands are sold by Collectors for State Taxes as aforesaid are entitled to by Law.—

And it is further Enacted that the said John Nutter Samuel Nelson and Nicholas Dudley shall within three years from the passing of this Act render an account of the expenditure of the monies arising as aforesaid to the Court of General Sessions of the Peace in and for the County of Strafford on pain of the forfeiture of the sum of Three Hundred pounds to be recoverd of him or them neglecting to Account by any Person or Persons who shall sue therefor in any Court proper to try the same—

[CHAPTER 9.]

State of }
New Hampshire. }

AN ACT EMPOWERING PHINEHAS PARKER TO REVIEW A CERTAIN ACTION

[Passed June 19, 1792. Original Acts, vol. 13, p. 92; recorded Acts, vol. 6, p. 538. See additional act of December 17, 1792, recorded Acts, vol. 8, p. 80.]

Whereas Phinehas Parker of Claremont in the County of Cheshire hath Petitioned the General Court setting forth that Samuel Stone of said Claremont at the Inferior Court of common pleas holden

at Keene within and for said County in December Anno Domini 1790 recovered Judgement against Said petitioner and one Lemuel Newell by default for the Sum of four pounds four shillings and one penny damages and three pounds five Shillings and Six pence cost of suit— And praying for liberty to review said action— Which prayer having been made appear to the General Court to be reasonable and just— Therefore—

Be it enacted by the Senate and House of Representatives in General Court convened that the Said Phinehas Parker be and hereby is empowered to review said action at the Inferior Court of common pleas next to be holden at Charlestown within and for said County on the fourth tuesday of September next— And to plead to said action in the same manner as if it had not been defaulted— And the Justices of said Court are hereby empowered to Sustain said action of review and to hear try and determine the Same in the Same manner as if said action could now be reviewed in the ordinary course of the law and at Said term or at any other term to which the same may be continued to render judgement accordingly— allowing to either party liberty of appealing as in other cases—

And be it further enacted that all proceedings in a certain action now pending against Said Parker Hezekiah Rice and Walter Bingham in which Samuel Hunt Sheriff of said County is nominal Plaintiff commenced on a Gaol bond be Stayed until the said action of review be determined— Provided the same be commenced as aforesaid and not otherwise.

[CHAPTER 10.]

State of }
New Hampshire. }

AN ACT TO IMPOWER SARAH GRAY AS EXECUTRIX TO THE LAST WILL AND TESTAMENT OF THOMAS GRAY DECEASED, TO SELL CERTAIN LANDS.—

[Passed June 19, 1792. Original Acts, vol. 13, p. 93; recorded Acts, vol. 6, p. 540.]

Whereas Sarah Gray of Boston in the County of Suffolk and Commonwealth of Massachusetts widow, executrix of the last will and testament of Thomas Gray late of said Boston Esquire Deceased (and also executrix to the last will and testament of Ellis Gray late of the same Boston Esquire Deceased residuary Legatee to the last will & testament of the said Thomas) has petitioned the General Court representing that the estate of said Thomas lying in said Commonwealth is insufficient to discharge the legacies by him bequeathed and that certain lands lying in Epsom, Chichester and Barnstead belong to his Estate which if sold might enable her partly

to discharge the legacies due from his said Estate; she therefore prayed the General Court to empower her as executrix to dispose of all said lands at private sale, for the purposes aforesaid—Which prayer appearing reasonable—

Therefore

Be it enacted by the Senate & house of Representatives in General Court convened that the said Sarah Gray be authorized and empowered and she is hereby authorized and empowered to sell and convey at private sale all the lands belonging to the Estate of the said Thomas Gray Deceased which lie in the said Towns of Epsom, Chichester and Barnstead in this State, and to make a good and valid conveyance to all intents and purposes to any person or persons who may purchase the same.—

[CHAPTER 11.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS FOR LOCKING FALLS CUTTING CANALS, AND BUILDING A BRIDGE OVER CONNECTICUT RIVER.—

[Passed June 20, 1792. Original Acts, vol. 13, p. 94; recorded Acts, vol. 6, p. 541. See additional act of January 21, 1794, recorded Acts, vol. 8, p. 238, and the act of December 8, 1796 which increases the toll, recorded Acts, vol. 10, p. 166.]

Whereas the erecting a bridge over Connecticut river between the mouth of Mink-brook so called in Hanover in the county of Grafton, and the eddy below the lower bar in white river falls, and cutting canals and locking the falls for the transportation of goods wares and merchandises within the limits aforesaid would be of great public utility— And whereas Ebenezer Brewster and others his associates have petitioned the General Court for the above privilege.—

Therefore—

Be it enacted by the Senate and House of Representatives in General Court convened that Ebenezer Brewster, Aaron Hutchinson and Rufus Graves with those who are or shall become proprietors with them in the privilege aforesaid, so long as they continue proprietors thereof, shall be a corporation and body politic, for the purposes aforesaid under the name of The Proprietors of White-river-falls-bridge; and by that name may sue and be sued to final judgment and execution and do and suffer all matters and acts and things which bodies politic may or ought to do or suffer—And the said Corporation shall and may use a common seal, and the same may alter break and renew at pleasure.—

And be it further enacted that the proprietors aforesaid be and

they hereby are permitted to cut canals, and lock all the falls in Connecticut river between the mouth of Mink-brook in said Hanover, and the eddy below the lower bar of white river falls in Lebanon, and likewise the privilege of building a bridge over said river in any place within the limits aforesaid, not to interfere with private property, or the grant of any ferry without compensation to the owner—And, the proprietors be and they hereby are authorized to purchase any lands contiguous and hold the same in fee-simple, and the share or shares of any proprietor may be transferred by deed duly executed acknowledged and recorded by the Clerk of said proprietors on their records.—

And be it further enacted that for the purpose of reimbursing said proprietors the money by them to be expended in building and supporting said bridge a toll be and hereby is granted and established for the benefit of said proprietors according to the rates following—Namely, for each foot passenger one cent, for each horse and rider three cents, for each horse chaise, chair and sulkey ten cents, for each sleigh and one horse five cents, for each sleigh and more than one horse ten cents, for each coach, charriot, phaeton, or other four wheeled carriage for passengers twenty cents, for each curricule fifteen cents, for each cart or other carriage of burthen drawn by two beasts twelve cents, for each cart or other carriage of burthen drawn by more than two beasts twenty cents, for each cart drawn by one horse, eight cents; for each horse or neat creature exclusive of those rode on two cents, for each sheep and swine half a cent. And to each team one person and no more shall be allowed as a driver to pass free of toll—And at all times when the toll gatherer shall not attend his duty the gate or gates shall be left open.

And be it further enacted that the said proprietors shall at any legal meeting to be warned and held in the manner they shall agree have power to make and establish such rules and by-laws as to them shall seem necessary and convenient for the regulation and government of said Corporation for carrying into effect the purpose aforesaid, and for collecting the toll herein granted—And the same rules or by-laws may cause to be executed—And may annex penalties to the breach thereof not exceeding forty shillings for any one breach—Provided said rules and by-laws are not repugnant to the Constitution and Laws of this State—And all representations at any meeting of said corporation shall be proved by writing signed by the person said to be represented, which shall be filed by the Clerk—And this act and all rules and by-laws, regulations and proceedings of the said corporation shall be fairly and truly recorded by the said Clerk in a book or books to be provided and kept for that purpose.—

And be it further enacted that for the purpose of reimbursing said proprietors the money by them to be expended in cutting said canals and locking said falls, they are hereby authorised to demand

and have for the transportation of all goods wares and merchandizes up and down said river within the bounds aforementioned—Namely , for each boat and loading not exceeding two tons weight one dollar, if more than two tons fifty cents for each additional ton, including the toll for the boat: and for each thousand of boards twenty five cents, and other lumber in proportion.—

Provided nevertheless that after fifty years from the passing this act the Justices of the supreme judicial court shall from time to time make such alterations in the rates of toll to be received as aforesaid, as to them shall appear to be just except that the net proceeds of the toll so to be received shall not be less than twelve per centum per annum of the costs of building said bridge after deducting the annual expenditures for the repairs of the same. Nor shall the rate of toll be set higher than is allowed by this Act . And provided said bridge be built within four years from the passing this Act. And said Canals be compleated within Seven years from the passing the same—

[CHAPTER 12.]

State of }
New Hampshire: }

AN ACT FOR RESTORING STEPHEN EVANS TO HIS LAW—

[Passed June 20, 1792. Original Acts, vol. 13, p. 95; recorded Acts, vol. 6, p. 544. See act of December 9, 1797, recorded Acts, vol. 10, p. 314.]

Whereas Stephen Evans Esq^r of Durham hath petitioned the General Court for leave to review a certain action wherein judgement was recovered against him by Richard Furbush of Lebanon at the Superior Court of Judicature holden at Dover on the second tuesday of September in the year of our Lord one thousand seven hundred and eighty eight for the sum of Fourteen pounds damage and Eight pounds nineteen shillings and four pence costs: and whereas the said Stephen within the time limited by Law for reviewing said Judgment sued out a writ of Review to review said action, which was made returnable , thro inattention or mistake , to said Superior Court on a day when they were not in session, by means of which said court refused to sustain said writ or proceed in the action: and the time for reviewing the same, given by law being now expired: and it appearing reasonable that such leave should be granted—therefore—

Be it enacted by the Senate and house of Representatives in General Court convened that the said Stephen Evans be and hereby is allowed and enabled to purchase out of the Superior Court aforesaid a writ of Review returnable to said Court to be holden at Dover on the second tuesday of September next, to review said action in

the same way as he might have done had not the time limited by law for reviewing the same elapsed: a service of which as in ordinary cases of review shall be sufficient to bring forward a trial thereon— And the said Court are hereby authorised and directed to proceed in the same cause with as full power as they might have done if the time allowed by Statute for reviewing the same had not expired—

[CHAPTER 13.]

State of }
New Hampshire. }

AN ACT TO VEST IN JOSIAH HASTINGS HIS HEIRS AND ASSIGNS, THE EXCLUSIVE PREVILEGE OF KEEPING A FERRY OVER A CERTAIN PART OF CONNECTICUT RIVER—

[Passed June 20, 1792. Original Acts, vol. 13, p. 96; recorded Acts, vol. 6, p. 545.]

Whereas Josiah Hastings of Chesterfield in said State hath petitioned the General Court Representing that he has for several Years past kept a Ferry over Connecticut River a little below the Southerly bounds of Thomases Ferry and about a mile above the mouth of west River—which has been and still is of Great advantage to the public, wherefore he prayed the General Court would grant him his Heirs and assigns the exclusive previledge of keeping a ferry over said River at the place aforesaid—and upon a public hearing, it appeared that Granting the prayer of s^d Josiah would be of public utility, and no objection being made thereto—Therefore Be it Enacted by the Senate and House of Representatives in General Court convened, that there be, and there hereby is Granted to the said Josiah Hastings his Heirs and assigns forever, the Sole and exclusive previledge of keeping a public ferry over said River begining at the lowermost bounds of said Thomases Ferry as Granted to him and extending down said River to the mouth of said west River—under Such directions & restrictions as from time to time the Court of Common pleas for the County of Cheshire may order and direct—and Be it further enacted that the said Josiah shall within one Year from and after the passing this Act, Give bond in the Sum of fifty pounds to the said Court of Common-pleas that said ferry shall be constantly attended and well kept—and be it further Enacted, that if any other person or persons shall for hire or reward, transport over said River within the limits aforesaid, any person, Creature or thing the person so offending Shall forfeit and pay to the said Hastings his Heirs or assigns the sum of forty Shillings for each offence—and A Copy of this Act may be offered in evidence in any proper action which may be commenc'd for a breach thereof—

[CHAPTER 14.]

State of }
New Hampshire. }

AN ACT TO VEST IN MOSES BLAKE, HIS HEIRS AND ASSIGNS THE EXCLUSIVE PRIVILEGE OF KEEPING A FERRY OVER A CERTAIN PART OF CONNECTICUT RIVER.

[Passed June 20, 1792. Original Acts, vol. 13, p. 97; recorded Acts, vol. 6, p. 546.]

Whereas Moses Blake of a place called Dalton in the County of Grafton in the State aforesaid, petitioned the General Court, representing that there is a convenient place for keeping a public ferry over the river Connecticut, adjoining his lands where he lives in said Dalton, and prayed the General Court would grant him, his heirs and assigns forever, the exclusive privilege of keeping a ferry over said river.

Beginning at the head of the fifteen mile falls, and extending so far up said river as might appear proper—upon which petition, after a public hearing thereon, the prayer of said Blake appearing reasonable—

Therefore—

Be it enacted by the Senate and house of Representatives in General Court convened, that there be and hereby is granted, to the said Moses Blake, his heirs and assigns forever, the sole and exclusive privilege of keeping a public ferry or ferries over Connecticut river—

Beginning at the head of the fifteen mile falls at said Dalton, and extending up said river to the southerly line of Lancaster—under such regulations as from time to time may be made by the Inferior Court of Common Pleas for said County—

And the said Blake shall, within the term of one year from the passing this act, give bond in the sum of fifty pounds to said Court, that the said ferry shall be constantly attended and well kept.

And be it further enacted, that if any other person or persons, shall within the limits aforesaid, for hire or reward, transport over said river any person, creature or thing—the person so offending, shall forfeit and pay to the said Blake, his heirs or assigns, the sum of forty shillings, to be by him or them sued for and recovered in any Court proper to try the same— and a copy of this act shall be received in evidence, in any proper action which may be commenced for a breach thereof.

[CHAPTER 15.]

State of }
New Hampshire. }

AN ACT AUTHORIZING AND DIRECTING THE JUDGE OF PROBATE FOR THE COUNTY OF ROCKINGHAM TO ALLOW THE COMMISSIONERS ON THE ESTATE OF JAMES EWINS A FURTHER TIME TO RECEIVE CLAIMS AGAINST THE ESTATE OF THE SAID JAMES—

[Passed June 20, 1792. Original Acts, vol. 13, p. 98; recorded Acts, vol. 6, p. 548.]

Whereas John Ewins Administrator on said estate, has petitioned the General Court representing— that the said James Ewins died in the year one thousand seven hundred and eighty seven intestate, and on whose estate he administered, and that Commissioners were appointed in due form—that the time for said Commissioners receiving the claims against said estate is expired, and that a further time for s^d purpose is necessary—and it appearing reasonable that a further time be allowed for said purpose—

Therefore—Be it enacted by the Senate and house of Representatives in General Court convened, that a further time of six months be allowed for said purpose, and that the Judge of Probate for said County take notice hereof and Govern himself accordingly.

[CHAPTER 16.]

State of }
New Hampshire. }

AN ACT DIRECTING THE MODE OF BALLOTING FOR, AND APPOINTING THE ELECTORS OF THIS STATE FOR THE ELECTION OF A PRESIDENT AND VICE-PRESIDENT OF THE UNITED STATES.

[Passed June 20, 1792. Original Acts, vol. 13, p. 99; recorded Acts, vol. 6, p. 549. See act of November 12, 1788, Laws of New Hampshire, vol. 5, p. 331; act of June 16, 1796, Laws, 1797 ed., p. 167; act of June 14, 1800, recorded Acts, vol. 13, p. 13; act of November 25, 1800, id., p. 49.]

Be it enacted by the Senate and House of Representatives in General Court convened, that the Inhabitants of the several towns, parishes, plantations and places in this State, qualified to vote in the choice of Senators for the State Legislature, shall assemble in their respective towns, parishes, plantations, and places, on the last monday of August next, to vote for six suitable persons, inhabitants of this State, who shall not be Senators or Representatives in Congress, or persons holding offices of profit or trust under the United States, to be Electors of a President and Vice-President of the United States; and the Select men of the towns, parishes, planta-

tions and places, shall give fifteen days notice of the time, place and design of such meeting; and the meeting shall be governed by a Moderator chosen for that purpose, who shall impartially preside, and with the Select men, whose duty it shall be to attend at such meeting, shall receive from all the Inhabitants of such towns, parishes, plantations and places respectively, present and qualified as aforesaid, ballots or votes for such Electors; and shall in open meeting sort and count the same, of all which the Clerk of such town, parish, plantation or place respectively, shall make a fair record in the presence of y^e said Select-men; of the name of every person voted for, and the number of votes against his name, and a full and fair copy of this record shall be made out and attested by the said Select men and Clerks respectively, and sealed up, and directed to the Secretary of the State, with a superscription expressing the purport thereof, and transmitted to the Sheriffs of the respective Counties to which they belong, within thirty days after said meetings, or transmit them to the Secretary's office on or before the last day of October next, and the several Sheriffs shall on or before the last day of said October transmit to the Secretary's office all votes that shall be in manner aforesaid transmitted or delivered to them. And the Secretary shall, on the first day of November next lay the same before the Supreme Executive Magistrate and Council to be by them examined.—And in case there shall appear to be any, or the full number who have a majority of votes, the person or persons having such majority, shall be appointed, and declared Electors.

But in case there shall not be any, or the whole number, having such majority,—

The Supreme Executive Magistrate in the presence of the Council shall cause to be made out, a list of the persons having the highest number of votes, equal to double the number of Electors wanted; and if in making out such list it shall happen that two or more persons voted for, have an equal number of votes, which number is also high enough to entitle to a place in said list; the names of such persons shall be put into a box, and the Secretary, not being one of the Candidates, shall in presence of the said Supreme Executive Magistrate draw the number wanted to complete such list; and the names of the persons contained in the list so made, shall be transmitted to the Select men of the several towns, parishes, plantations and places aforesaid respectively, who shall warn a meeting to be holden on the twelfth day of November next, and said meetings shall be notified before the receipt of any list or precept from the Executive Authority, and in case of Electors not being appointed, they shall be held; governed, and the votes received, sorted, counted and certified in the manner herein before directed; and the votes shall be transmitted into the Secretary's Office on or before the twenty second day of November next, and all the votes so transmitted to the Secretary's office, shall be duly examined by the said

Supreme Executive Magistrate and Council, or such of them whose names are not contained in such list; and such Candidates, equal in number to the number of Electors wanting, as have the highest number of votes shall be appointed and declared Electors.

And in case it shall happen by reason of an equality of votes, that no appointment can be made or only a partial one, the names of the Candidates not elected, who shall have an equal and the highest number of votes shall be put into a box, and the Secretary not being one of the said Candidates, shall in the presence of the Supreme Executive Magistrate, draw out the number wanted, and the person or persons whose name or names shall be so drawn out, shall be appointed, and declared an Elector or Electors. And shall be considered as duly appointed for this State.

And all the Electors duly appointed as aforesaid, shall be notified to attend their duty as such.

And be it further enacted that in cases where the Secretary shall be a Candidate, and his name shall be put into the box as aforesaid, the Supreme Executive Magistrate shall appoint some other suitable person in his stead, to draw out the name or names of a person or persons in the manner herein before directed.

And be it further enacted that the several Clerks aforesaid shall respectively transmit certificates of all votes taken, sealed up, and directed as aforesaid, to the Sheriffs of the respective Counties to which they belong within five days after said meetings; or within ten days at furthest after said meetings transmit them to the Secretary's Office, and the several Sheriffs shall within ten days after said Meetings transmit to the Secretary's Office all votes that shall be in manner aforesaid transmitted or delivered to them. And the respective Sheriffs, and Clerks aforesaid, shall be liable to the same penalties for neglect of the duties enjoined on them respectively by this Act, as they are liable to by law for omissions in transmitting the votes for President and Senators of this State.

And be it further enacted, that the Electors appointed as aforesaid shall meet and give their votes for a President and Vice-President of the United States, at Exeter—on the first wednesday of December next, and shall proceed to do all the other duties incumbent upon them as Electors, in the manner prescribed by Law.—

[CHAPTER 17.]

State of }
New Hampshire. }

AN ACT TO ENABLE JOSIAH GILMAN ESQ^R TO SELL A CERTAIN REAL ESTATE FOR THE BENEFIT OF HIS CHILDREN—

[Passed June 20, 1792. Original Acts, vol. 13, p. 100; recorded Acts, vol. 6, p. 552.]

Whereas Josiah Gilman Ju^r of Exeter in the County of Rockingham Esq^r hath Represented to the General Court that his Children five of whom are minors are owners of the reversion of a Certain Real Estate Situate in Said Exeter Consisting of one third part of a Dwelling house & Land adjoining of which he is tenant by Courtesy & that said premises are going fast to decay to the great Injury of said Children he thereupon hath petitioned the General Court to grant him licence to Join with those of his Children who are of age in Selling & Conveying the same in behalf of Said minors—

Be it therefore enacted by the Senate & house of Representatives in General Court convened that the Said Josiah Gilman Esq^r be & hereby is fully Authourised & Impowered in behalf of Said minors to Join with those of his Children who are of age to make & Execute a Deed or Deeds of the reversion of the aforesaid premises & Such Deed or Deeds Shall be Valid in Law as if Said minors were of full age to Execute the same

And be it further enacted by the authority aforesaid that before the said Josiah Gilman Esq^r Shall proceed to Sell the aforesaid premises he shall give Bonds to the Judge of Probate for Said County in the Sum of fifty pounds Lawfull mony for the payment of the nett proceeds of Said premises with the Interest Arising thereon to Said minors as they may come of age—

[CHAPTER 18.]

State of }
New Hampshire. }

AN ACT IN AMENDMENT OF AN ACT INTITLED “AN ACT TO IMPOWER THE TOWN OF WENTWORTH TO ASSESS THE NON RESIDENTS LANDS IN SAID TOWN FOR THE REPAIRING HIGH WAYS THEREIN.”

[Passed June 20, 1792. Original Acts, vol. 13, p. 101; recorded Acts, vol. 6, p. 553. The act referred to is dated June 19, 1790, Laws of New Hampshire, vol. 5, p. 533.]

Whereas in and by said act it is among other things enacted “that all the money raised in consequence thereof shall be appropriated solely to the use of repairing the roads & bridges in said Wentworth

under the directions and inspection of such person or persons as said Town shall chus for that purpose. And that such person & persons as shall have the over- sight of said business shall render a Just and true account of the expenditures of said money and that the same has been duly applied according to the true intent & meaning of the act within twenty four months from the date of their appointment to the Court of General Sessions of the peace for the County of Grafton under certain penalties therein mentioned— And whereas Nath^l White Esq^r one of the persons chosen to inspect the business aforesaid hath on behalf of the said directors petitioned the General Court setting forth that the said term of twenty four months is too short for compleating the business in said act mentioned and praying that the same may be lengthened; which appearing reasonable—

Therefore

Be it enacted by the Senate & House of Representatives in General Court convened that, in addition to the aforesaid twenty four month, a further term of one year from and after the twenty sixth day of July next be allowed the said persons chosen to inspect and oversee said business, for compleating the same in the same way and manner and under the same penalties mentioned in the aforesaid act—

[CHAPTER 19.]

State of }
New Hampshire. }

AN ACT TO AUTHORIZE AND IMPOWER SIR WILLIAM PEPPERRELL OF LONDON IN THE KINGDOM OF GREAT BRITAIN BARONET AND HIS HEIRS, TO TAKE & HOLD FOR THE PURPOSE OF CONVEYING, AND TO SELL AND CONVEY THE INTEREST AND ESTATE OF ANDREW PEPPERRELL ESQ^R AT HIS DECEASE, IN CERTAIN LANDS THEREIN SPECIFIED, UNDER THE RESTRICTIONS THEREIN MENTIONED.—

[Passed June 20, 1792. Original Acts, vol. 13, p. 102; recorded Acts, vol. 6, p. 554.]

Whereas the said Sir William Pepperrell hath by his petition, represented to the general court, that the said Andrew Pepperrell died seized of the remainder in fee of a certain farm or tract of land in Newmarket, and of certain lands in Nottingham, Chichester & elsewhere in said state; which lands lately belonged to the late Sir William Pepperrell of Kittery in the Commonwealth of Massachusetts Baronet deceased, and were by him in his last will and testament devised to the said Andrew in fee after the decease of Lady Mary Pepperrell and Madam Elisabeth Sparhawk.—That the said Andrew Pepperrell devised his said estate in said lands to the said Sir William Pepperrell the petitioner, his heirs and assigns. And that he as executor of the last will and testament of the said

Andrew, caused the same to be duly proved; administered as such, and paid the debts and Legacies; and hath since been given to understand that not being a citizen of the united states, he cannot receive the intended and expected benefit of said devise, unless aided by the equitable interposition of the general court; praying that he and his heirs may be enabled and impowered, so far to take and hold said interest and estate of the said Andrew, as may be necessary for his or their selling and conveying the same in a limited time to any citizen or citizens of any of the united states; which prayer of said Petition appearing reasonable, therefore;—

Be it enacted by the senate and house of representatives in general court convened, that the said Petitioner Sir William Pepperrell and his heirs be, and he and they hereby are, enabled and impowered to take and hold all the interest and estate which the said Andrew Pepperrell had at the time of his decease in said lands, for the express, special and sole purpose of selling and conveying the same to any citizen or Citizens of any of the united states; and he the said Sir William Pepperrell last mentioned is, and (in case of his death) his heirs, are hereby authorised and impowered to sell and convey the same interest and estate to any such citizen or citizens, at any time hereafter, not exceeding ten years next after the children of the said Sir William Pepperrell shall arrive at full age, and after the decease of the said Elisabeth Sparhawk; and such conveyance made by deed or deeds duly executed and recorded shall be valid and effectual in law to convey all the said estate and interest of the said Andrew, to the same to all intents and purposes, as though the said Sir William had been a citizen of this state at the time of the devise aforesaid to him made, and at the death of the said Andrew, and should have continued to be such untill and at such sale and conveyance to be hereafter made as aforesaid. Any law, usage or custom to the contrary notwithstanding.—

[CHAPTER 20.]

State of }
New Hampshire. }

AN ACT TO REPEAL SUNDRY ACTS AND LAWS THEREIN MENTIONED—

[Passed June 20, 1792. Original Acts, vol. 13, p. 103; recorded Acts, vol. 8, p. 7. Laws, 1797 ed., p. 441; id., 1805 ed., p. 401; id., 1815 ed., p. 473.]

Be it enacted by the Senate and House of Representatives in General Court convened, that the following Acts be and they hereby are repealed—namely—

“An Act requiring all Persons to take the Oaths appointed to be taken instead of the Oaths of allegiance and supremacy,” passed July 8th 1696.

“An Act to prevent damages by Horses,” passed June 8th 1697.

An Act to return able and sufficient Jurors to serve in the several Courts of Justice and to regulate the election of Representatives to serve in the General Assembly within this Province passed at a Session of the General Court begun and holden at Portsmouth Augst 7, 1699.

An Act for establishing Courts of public Justice within this Province passed at the last mentioned Session.

An Act to prevent the impounding Cattle wrongfully passed at a Session of the General Court begun and holden at Portsmouth on the 14th of June 1701.

An Act against Adultery and Polygamy passed at the last mentioned Session.

An Act against trespassing in Town Commons passed at the last mentioned Session.

An Act for as much as Sheriffs under Sheriffs and Constables have often times need of aid and assistance in the execution of their respective offices passed at the last mentioned Session.

An Act for regulating of Tanners, Curriers and Cordwainers and for the better preventing of deceits and abuses by Tanners, Curriers, Dressers or workers up of Leather passed at the last mentioned Session.

An Act for the punishing Criminal offenders passed at the last mentioned Session

An Act for recording Deeds and conveyances, passed at the last mentioned Session.

An Act for regulation of Seamen passed at a session of the General Court begun and holden at Portsmouth on the 21st June 1701.

An Act for taking affidavits out of Court passed at the last mentioned Session.—

An Act for regulating of trials in civil causes passed at the last mentioned Session.—

An Act for regulating the measure of Boards, Joist and Plank &c passed August 23rd 1704.

An additional Act for the more equal assessing and collecting of public taxes in this Province passed Decem^r 18. 1705.

An Act for preventing of trespasses passed 16th October A. D. 1707

An Act for the encouragement of the Inhabitants of her Majesty's Province of New Hampshire in the making of Tar to be transported into her Majesty's Kingdom of Great Britain and otherwise for the encouragement of Trade passed 18th Nov^r 1707.

An Act for the better preservation of all mast Trees or white pine Trees within her Majesty's Province of New Hampshire passed May 10, 1708.

An Act for prevention of Frauds and forgery upon the Bills of credit in use in this and the neighbouring Provinces passed 14 May 1711.

An Act to prevent default in appearance of Jurors passed at a Session of the General Court begun and holden at Portsmouth 14 may 1714

An Act for the convenient and speedy assignment of Dower passed at the last mentioned Session.—

An Act against receiving of stolen Goods passed at the last mentioned Session.

An Act for preventing Men's Sons or Servants absenting themselves from their Parents or Master's service without leave passed at the last mentioned Session.

An Act providing for posthumous Children passed at the last mentioned Session.—

An Act to prevent incestuous marriages passed at the last mentioned Session.—

An Act directing the proceedings against forcible entry and detainer, passed at the last mentioned Session.

An Act to prevent fraud in cord wood exposed to sale, passed at the last mentioned Session.—

An Act for the partition of lands and the recovery of legacies passed at the last mentioned Session.

An Act to prevent the destroying and murdering bastard Children passed at the last mentioned Session.

An Act for the regulating of Prisons and to prevent escapes passed at the last mentioned Session.—

An Act relating to Attornies passed the last mentioned Session.

An Act concerning marriages, births and burials passed at the same last mentioned Session.—

An Act to prevent disorders in the night passed at the last mentioned Session.

An Act appointing the Sheriff to have the keeping of the common Gaol and the Prisoners therein passed at the last mentioned Session.

An Act prohibiting the importation or bringing into this Province any Indian Servant or Slaves, passed at the last mentioned Session.

An Act for the maintenance and supply of the Ministry within this Province, passed at the last mentioned Session.—

An Act against shipping Horses without entry, passed at the last mentioned Session.—

An Act for the inspecting and suppressing of disorders in licensed Houses, passed Jan^y 6th 1715.

An Act for a Constable's Watch 14 Jan^y 1715.

An Act of privilege to the members of the General Assembly, passed at a Session of the General Court begun and holden at Portsmouth on the 13th May 1718—

An Act to prevent Charges arising upon this Province for Prisoners committed for Theft, passed at the last mentioned Session.—

An Act against Hawkers, Pedlars and petty chapmen, passed at the last mentioned Session.—

An Act for prevention of common nuisances arising by Slaughter Houses, Still Houses &c and Curriers , passed at the last mentioned Session.—

An Act about Powder money, passed at the last mentioned Session.—

An Act to prevent trespasses in cutting down Trees upon land without fence, passed at the last mentioned Session.—

An Act for passing Sheriffs accounts, passed at the last mentioned Session.—

An Act for the better regulation of Swine going at large, passed at the last mentioned Session.—

An Act relating to Strays and lost Goods, passed at the last mentioned Session.—

An Act relating to sureties upon mean process in civil actions passed at the last mentioned Session.

An Act to ease People that are scrupulous in swearing, passed at the last mentioned Session.—

An Act for the better regulating of Town and Proprietary meetings, passed at the last mentioned Session.

An Act for the regulating of Mills, passed at the last mentioned Session.—

An Act for suppressing and punishing of Rogues, Vagabonds, common beggars and other lewd, idle and disorderly Persons, and also for setting the Poor to work, passed at the last mentioned Session.—

An Act for providing of Pounds and to prevent rescous and pound breach passed at the last mentioned Session.—

An Act for the establishing forms of oaths passed at the last mentioned Session.—

An Act for regulating Fees passed at the last mentioned Session.—

An Act for suppressing Robberies and assaults, passed at the last mentioned Session—

An Act for making of Lands and Tenements liable to the payment of Debts, passed at the last mentioned Session.—

An Act for the payment of cure of Soldiers, that are wounded, passed at the last mentioned Session.—

An Act to prevent the concealing of Estates from Assessors, passed at the last mentioned Session.—

An Act for restraining inhuman severities, passed at the last mentioned Session.—

An Act for regulating Ferries, passed at the last mentioned Session

An Act for the equal distribution of insolvent estates, passed at the last mentioned Session—

An Act to prevent causeless Arrests &c passed at the last mentioned Session.—

An Act relating to appeals from judgment in Bar or abatement , passed at the last mentioned Session.

An Act , for the better securing the payment of Prison charges, passed at the last mentioned Session.—

An Act for regulating the fishery, passed at the last mentioned Session.—

An Act for encouraging the killing of Wolves, passed at the last mentioned Session.—

An Act to enable Towns, villages and Proprietors in common and undivided lands to sue and be sued," passed at the last mentioned Session.—

An Act prescribing forms of Writs in civil causes passed at the last mentioned Session.—

An Act for regulating Cattle, Corn fields and Fences, passed at the last mentioned Session.—

An Act directing the admission of Town inhabitants, passed at the last mentioned Session.—

An Act against murder &c passed at the last mentioned Session.—

An Act to enable Creditors to receive their just debts out of the effects of their absent or absconding Debtors, passed at the last mentioned Session.—

An Act for regulating weights and measures passed at the last mentioned Session.—

An Act relating to the office and duty of a Coroner, passed at the last mentioned Session.—

An Act for regulating Townships , choice of Town officers and setting forth their power, passed at a Session of the General Court begun and holden at Portsmouth 2nd may 1719.—

An Act to encourage the raising of Sheep within this Province, passed at the last mentioned Session.

An Act Against taking more than established Fees, passed at the last mentioned Session.—

An Act for encouraging Iron works in the Province of New Hampshire, passed at the last mentioned Session.—

An Act providing that in suits where Goods or other estate is attached the defendant be summoned, passed at the last mentioned Session.—

An Act to prevent and make void clandestine and illegal purchases of Lands from the Indians, passed at the last mentioned Session.—

An Act to encourage the sowing and curing of Hemp and to preserve pitch pine Trees for drawing Turpentine, passed at the last mentioned Session.

An Act for preventing masters of Ships conveying Debtors out of this Province, passed at the last mentioned Session.—

An Act for regulating the assise of Cask and preventing deceit in packing of Fish, Beef and Pork for sale, passed at the last mentioned Session.

An Act relating to Constables collecting Rates or assessments, passed at the last mentioned Session.

An Act for preventing Frauds and Perjuries passed at the last mentioned Session.—

An Act in addition to an act to prevent damages by Horses, passed at a Session of the General Court begun and holden at Portsmouth 18 April 1721

An Act for the preventing Gaming in public Houses, passed at the last mentioned Session—

An Act to prohibit Trade and commerce with the eastern Indians, passed 7th October 1721.—

An Act to ascertain the time for the redemption of Lands mortgaged on condition or by deed of sale with defeasance passed 12 George 1st

An Act for the calling and electing Assembly men and their qualifications passed 1 George 2nd

An Act in addition to an Act entitled an Act for regulating fees, passed 4 George 2nd

An Act for granting unto his Majesty an excise on several liquors, passed 5th George 2nd

An Act in addition to an Act entitled an Act for the suppressing disorders in licensed Houses, passed 4th George 2nd

An Act more effectually to prevent the counterfeiting the Bills of Credit on this Province, passed 12 George 2nd

An Act for the more easy and speedy Assessing and collecting the Province Rates and Taxes passed 12 George 2nd

An Act for the preservation and increase of Deer within this Province, passed 14 George 2^d

An Act in addition to, and for rendering more effectual an Act entitled an Act for regulating Townships, choice of Town officers and setting forth their power, passed 17th George 2nd

An Act for altering the time of the sitting of the Governor and Council as a court of appeals in the month of November, and of holding the Superior Court of Judicature, and for empowering and enabling the court of General Sessions of the Peace within the Province of New Hampshire to adjourn— passed 26. George 2nd

An Act to enforce the assessing and collecting of Rates and Taxes, passed 27 George 2^d

An Act for the suppressing of Lotteries passed 27 George 2^d

An Act in addition to an Act, entitled an Act to return able and sufficient Jurors to serve in the several Courts of Justice and to regulate the election of Representatives to serve in the General Assembly within this Province, passed 27th George 2nd

An Act in addition to an Act, entitled an Act for the preventing Gaming in public Houses passed 27th George 2nd

An Act in addition to an Act entitled an Act to enforce the assessing and collecting of Rates and Taxes, made and passed in the twenty seventh year of his Majesty's reign, passed 28th George 2nd

An Act to regulate the making and repairing of fences between improved lands, passed 28th George 2nd

An Act for the more easy and speedy prosecution of actions of ejectment and for ascertaining the fees for giving seizin therein, passed 29th George 2nd

An Act for chusing of Grand Jurors and directing their services passed 27th George 2nd

An Act directing and regulating the appointment and choice of petit Jurors passed 27 George 2nd

An Act authorizing the chusing or agreeing with Persons to collect the public taxes and enabling and obliging them to discharge that office in the same manner as Constables may, and by Law are obliged to do, passed 31 George 2nd

An Act in addition to Act entitled an Act to prevent fraud in cord wood exposed to sale made and passed in the 13th year of the reign of her late Majesty Queen Anne, passed 31st George 2nd

An Act to empower Watchmen to apprehend and commit disorderly persons as is therein declared passed 33 George 2nd

An Act for setting off debts and mutual demands in suits at law being the 13th Section of the Statute of the second George the second chapter 22 and the 5th Section of the Statute of 8th George 2nd Chapter twenty four— passed 5th George 3rd—

An Act to prevent the abatement of Writs and loss of Actions pending by the death of any of the Parties concerned in them before final judgment being the sixth and seventh paragraphs of the Statute of the 8th and 9th of William the 3rd Chapter 11 passed 5th George 3rd

An Act to enable the Selectmen to change high ways and to apply land left for high ways where it is not suitable and to purchase land suitable for that purpose where it is wanting, passed 6 George 3rd

An Act for recording all powers of Attorney or instruments by virtue of which any deeds of conveyances of Houses or lands shall be made or already made but not so recorded, and for preserving affidavits taken in perpetuum rei memoriam, passed 6 George 3rd

An Act to invest the overseers of the poor with power more effectually to employ them; and to provide for bringing up of their Children more usefully— passed 6th George 3rd

An Act in addition to an Act entitled an Act for regulating weights and measures, passed 6th George 3rd

An Act to authorize any Town or Towns in this Province to build or improve and establish any House within their respective Towns or in any of them as two or more may agree for a House of correction, passed 6th George 3rd

An Act for dividing this Province into Counties, and for the more

easy administration of Justice published and allowed 19th march 1771.—

An Act for reviving and making perpetual an Act entitled an Act more effectually to prevent profane cursing and swearing, passed May 8th 1764.

An Act to enable the inhabitants of such Towns and Parishes in this Province as have not had a regular method to call Town or Parish meetings or at present have no such method, to direct and establish a rule and method for that purpose, passed January 5th 1771.

An Act to enable any Plaintiff in review of any Action against a Person not an inhabitant nor having any estate in this Province which can be come at to be attached to serve the writ on the Attorney or Agent of the Defendant named in such Writ, passed 26th February 1768.

An Act to ascertain the value of the Premiums to be given for killing Wolves, passed Jan^y 16th 1771.

An Act to regulate the fine set on Persons chosen to the office of Constable and refusing to serve in said office, passed 16th January 1771.—

An Act to ascertain and regulate the penalties set and imposed in an Act of this Province against trespassing in Town commons &c, passed 16th January 1771.

An Act to ascertain the fines to be demanded and taken of Jurors not attending their duty—passed 16th January 1771.

An Act in addition to an act made in the fifth year of the reign of king George the first entitled an Act for regulating townships choice of Town officers and setting forth their Power.

An Act to restrain the taking excessive Usury passed March 1769.—

An Act for establishing courts of Law for the administration of Justice within this Colony passed July 5th 1776.

An Act for establishing the Stile of Commissions which shall hereafter be issued and for altering the stile of writs, processes and all Law proceedings within this Colony, and for directing how recognizances to the use of this Colony shall in future be taken and prosecuted passed July 3rd 1776.

“An Act to establish an equitable method of making rates and “taxes, and determining who shall be legal voters in Town and Parish affairs; and for repealing certain Acts herein after mentioned” with all the Acts therein mentioned, and all the Acts and laws therein and thereby repealed and all the Acts relative to making rates and Taxes — The said Act was passed 7th February 1789

An Act to remove any doubts that have or may arise concerning the legality of any taxes granted by the late Congress for this Colony and to enforce the payment of Taxes in future, passed June 28th 1776.—

An Act for the better regulating Marriages, and for punishing the neglect of registering Births and Burials—passed July 3rd 1776.

An Act to invest the overseers of the Poor with power more effectually to employ them and to provide for bringing up their Children more usefully, passed July 2nd 1776.—

An Act for the punishment of Forgery passed 16th December 1771.

An Act to vest the property of forfeitures and fines that shall arise and be incurred by Law within any of the Counties in this Province as also the money for licenses for liberty to sell spirituous liquors which by law used to be paid into the public Treasury of the Province and applied to the use of the Province, to vest the same in the inhabitants of the respective Counties aforesaid; to be applied for use of the counties and to authorize the County Treasurer to issue his extents as the Province Treasurer may do by Law; passed January 3rd 1772—

An Act fixing the Times and Places for holding the Courts in the Counties of Strafford and Grafton—passed February 5th 1773.

An Act for the better preventing of Criminals avoiding of Justice, passed May 28th 1773—

An Act for limiting the Time of prosecuting appeals to the Court of Supreme Probate—passed May 27th 1774—

An Act for regulating the choice of County Treasurers and Records of Deeds in the several Counties in said State passed Decem^r 13th 1776.—

An Act for preventing and punishing such Offences against the State as do not amount to Treason or misprision of Treason passed Jan^{ry} 17th 1777.

An Act against Treason or misprision of Treason and for regulating Trials in such cases & for directing the mode of executing Judgments against Persons convicted of those crimes, passed Jan^{ry} 17th 1777.

An Act to prevent the desertion of Soldiers during the present War with Great Britain the concealment of Deserters and also the embezzlement of Cloths, Arms &c belonging to the United States of America, passed March 12th 1777.—

An Act for establishing the General System of Laws heretofore in force in this State, passed April 9th 1777.

An Act to prevent the transfer, or conveyance of the Estates and Property of all such Persons who have been or shall be apprehended for counterfeiting or fraudulently passing any counterfeit Bills, Notes or currency of this State, or of the United States of America, or either of them, or of the United States Lottery Tickets, or the Loan Office Certificates, and also of the Estates and Property of all such Persons against whom Warrants have issued or may issue for being guilty of either of said Offences and have absconded, or that shall hereafter abscond passed June 25th 1777—

An Act to oblige the Members of the Council and House of Rep-

representatives, all Officers civil and Military, Barristers and Attorneys at Law to take and subscribe an oath of Fidelity to the State passed Novem^r 8th 1777.—

An Act in Addition to an Act, entitled an Act to oblige the Members of the Council and House of Representatives, all Officers Civil and Military, Barristers and Attorneys at Law to take and subscribe an Oath of Fidelity to the State passed in the late General Assembly of this State Novem^r 8th 1777” passed March 14th 1778.—

An Act for altering the Time of the sitting of the inferior Court of Common Pleas in and for the County of Rockingham from the last Tuesday of February to the first Tuesday of February annually, passed Nov^r 19th 1777.

An Act to alter the Time of the sitting of the Court of General Sessions of the Peace within and for the County of Rockingham in the Month of February annually passed November 25th 1777.

An Act in addition to the Laws of this State now in force for preventing Trespasses passed Mar. 13th 1778.

An Act for establishing a Naval Office at Portsmouth in the County of Rockingham and for regulating the Trade and Navigation of this State, passed Nov^r 26th 1778.

An Act in addition to an Act entitled an Act for establishing Courts of Law for the administration of Justice within this Colony—passed Novem^r 27th 1778.—

An Act for repealing the Laws relating to Wolves and for fixing the Sums hereafter to be given for killing Wolves passed Novem^r 28th 1778.—

An Act to repeal sundry Acts of this State relating to Taverners, Innholders, Retailers and common Victuallers and for regulating Taverns, Inns, and Retailers within said State passed December 26th 1778.—

An Act to enable Selectmen or Town Clerks to swear Town Officers passed 1st April 1779.—

An Act for altering the time of holding the Inferior Court of common pleas and Court of General Sessions of the Peace within the County of Strafford passed June 25th 1779.

An Act to allow appeals to Congress in Certain Maritime Causes passed Novem^r 18th 1779.—

An Act for the better preventing criminal Offenders from avoiding Justice, passed March 10th 1780.—

An Act for disposing of such Prisoners as have been or hereafter may be taken by the Land or Sea Forces of this State—passed March 18th 1780.—

An Act to authorize the Treasurer of this State and the Treasurers of the several Counties within this State to issue their executions for levying State and County Taxes respectively against Individuals in certain Towns & Places in this State—passed April 6th 1781.—

An Act for repealing certain Clauses in an Act passed in the Year

of our Lord 1773 entitled an Act for fixing the Times and places for holding the Courts in the Counties of Strafford and Grafton and for making an addition to said Act passed April 4th 1781.—

An Act to repeal a certain Clause of an Act “entitled an Act to repeal sundry Acts of this State relating to Taverns, Inns and Retailers within this State,” passed Decem^r 26th 1778— Additional Act passed Mar. 30th 1781.

An Act in Addition to the Law already in force for the regulation of Swine passed April 6th 1781.

An Act in Addition to an Act of this State entitled an Act against Treason and misprision of Treason and for regulating Trials in such cases and for directing the mode of Executing Judgments against Persons convicted of those Crimes; and also in Addition to an Act entitled an Act for preventing and punishing such Offences against the State as do not amount to Treason or misprision of Treason passed April 6th 1781.

An Act in addition to an Act for establishing a Naval Office in Portsmouth in the County of Rockingham and for regulating the Trade and Navigation of this State, passed July 4th 1781.—

An Act for granting an excise on several sorts of Liquors for the use of this State, passed Septem^r 1st 1781.

An Act for preventing the Subjects of his Britannic Majesty and all other Persons inimical to the United States of North America, from prosecuting Actions, serving as Jurors, or acting as Town Officers within this State, passed November 28th 1781—

An Act for repealing all the Laws heretofore made by the Province, Colony, or State of New Hampshire relating to killing Wolves; and for fixing the Premiums hereafter to be given for killing those Animals, passed Jan^{ry} 17th 1782.—

An Act in addition to and amendment of an act entitled an act for repealing all the Laws heretofore made by the Province, Colony or State of New Hampshire relating to killing Wolves and for fixing the Premiums hereafter to be given for killing those Animals passed Jan^{ry} 17th 1782.— The additional Act passed Nov^r 10th 1785.—

An Act for altering the Time of holding the Inferior Courts of common pleas and Courts of General Sessions of the Peace in the County of Strafford passed March 22nd 1782.

An Act in addition to, and alteration of an Act, entitled “an Act for establishing Courts of Law for the administration of Justice within this Colony”, passed March 25th 1782.—

An Act for the ease and relief of Prisoners for Debt—passed June 21st 1782.—

An Act to encourage the taking up and securing all such British Prisoners of War taken from the Enemy, who have escaped, or shall hereafter escape from the places of their confinement, and for punishing those Persons who are aiding or assisting them therein, passed June 27th 1782.

An Act for the encouraging of the taking up and securing Deserters from the New Hampshire Line of the Continental Army and for punishing those Persons who harbour or secrete them, knowing them to be such, passed June 27th 1782.—

An Act in addition to an Act entitled “an Act for granting an excise on several sorts of Liquors for the use of this State”—the said additional Act passed 28th Dec^r 1782.

An Act to authorize the Congress of the United States of America to levy a duty not exceeding five per Centum upon Goods imported into and Prizes condemned within this State—passed April 6th 1781.—

An Act for granting to the United States in Congress assembled certain imposts and duties upon foreign Goods, imported into this State, and for the purpose of paying the principal and interest of the Debt contracted in the prosecution of the late war with Great Britain, passed 2nd January 1784.—

An Act for altering sundry articles in the Table of Fees now established and used in this State passed 3rd January 1784.—

An Act in addition to an Act entitled “an Act for the ease and relief of Prisoners for debt,” passed January 3rd 1784.—

An Act in addition to an Act entitled an Act for the ease and relief of Prisoners for debt made and passed 21st June 1782—This additional Act passed 10th June 1789.—

An Act in addition to, and amendment of the Acts establishing a table of Fees, passed 16th Jan^{ry} 1787.— And all Acts heretofore passed establishing Fees,

An Act for establishing a Light House passed 16th of April 1784.

An Act in addition to an Act entitled an Act for establishing a Light House passed April 16th 1784 The additional Act passed Novem^r 11th 1784—

An Act to alter and extend the Act about Powder Money passed April 16th 1784.—

An Act for laying an Impost Duty on Sundry Goods imported into this State passed 17th April 1784.

An Act to invest the United States in Congress assembled with additional Powers for a limited time passed November 5th 1784.—

An Act to vest the United States in Congress assembled, with full power to regulate Trade and enter into Treaties of Commerce, passed June 23rd 1785.—

An Act to vest the United States in Congress Assembled with full powers to regulate Commerce passed June 19th 1786.—

An Act to vest the United States in Congress assembled with full Power to regulate Trade and enter into Treaties of Commerce, passed December 28, 1786.

An Act in Addition to an Act entitled “an Act for the equal distribution of insolvent Estates,” The additional Act passed November 11th 1784.—

An Act to alter and establish the Times and Places of holding the Several Courts of Judicature within this State passed February 17th 1785.—

An Act for the regulation of Navigation and Commerce passed June 23rd 1785.—

An Act for altering the Time of holding the Inferior Court of Common pleas, holden by Law, on the first Tuesday of June annually at Portsmouth in and for the County of Rockingham, passed March 3rd 1786.—

An Act to prevent unnecessary Costs to Debtors by Creditors bringing Actions of Debt on Judgments, where such Creditors might have availed themselves of Execution on the same Judgments, passed June 23rd 1786.

An Act to empower the several Towns and Parishes in this State to chuse new Constables and Collectors in the room of such constables and collectors as have deceased or may hereafter de cease, or have absconded, or shall hereafter abscond, without compleating the collection of the Taxes committed to them; and to authorize such new elected Constables and Collectors to complete such collection, passed Dec^r 25th 1786.—

An Act for extending the Powers and Authority of the Maritime Court in this State, passed January 12th 1787.—

An Act to enable Three Justices of the Peace, unus quorum to determine all disputes concerning the maintenance of the Poor—passed June 19th 1787—

An Act to set off mutual Executions against each other, passed June 21st 1787.—

An Act for altering the Time of the sitting of the Inferior Court of common pleas, and the Court of General Sessions of the Peace at Charlestown in the County of Cheshire—passed June 23rd 1787.

An Act in addition to, and explanation of, an Act, for granting an Excise on several sorts of Liquors for the use of this State passed June 27th 1787.

An Act in addition to an Act for setting off Debts and mutual Demands, passed June 27th 1787.—

An Act in addition to, and in explanation of an Act entitled an Act relating to Constables collecting Rates and Assessments passed Sep^r 27th 1787.

An Act to raise a Revenue to this State by Excise, passed September 28th 1787.—

An Act for reducing the number of Terms for holding the Court of General Sessions of the Peace within the several Counties in this State, passed Feb^r 7th 1789.—

An Act in addition to an Act entitled an Act for the ease and relief of Prisoners for debt made and passed June 21st 1782—Additional Act passed June 10th 1789—

An Act to facilitate the collection of Taxes passed June 13th 1789.

An Act directing the mode of filling summonses in Civil Actions passed June 19th 1789.

An Act in addition to the Laws now in force providing for the support and maintenance of the Poor passed January 22nd 1790.—

An Act for laying out High Ways—passed February 27th 1786.—

And be it further enacted, That, that part of an Act made and passed by the General Court of said State on the first day of September in the year of our Lord one Thousand seven hundred and eighty one, entitled “An Act for making Gold & Silver a tender for “all Debts, and for settling the depreciation of the paper currency; “and for the future regulation of the Courts of Justice in this State” —which is contained and expressed in the words following, namely, “And to discourage the multiplying of Suits: Be it enacted by the “Authority aforesaid, that the Justices of the several Courts within “this State, be, and they hereby are empowered to continue and “suspend giving Judgment upon any suits or Actions brought before “them for the recovery of Debts due on contracts from time to time, “not exceeding the Term of Two Years as they shall judge reasonable upon considering the respective circumstances of each Suit, “unless the Creditor shall chuse to have judgment rendered in Bills “of the new emission, in which case the Judges of the several Courts “are hereby empowered to make up Judgment after the rate of a “Dollar and seven eighths of a Dollar in said Bills, for one Spanish “milled Dollar.—And whereas Securities are often given for other “Articles besides money, and in this scarcity of Gold and Silver it “may be very injurious to Debtors to be obliged immediately to “raise Gold and Silver to discharge the same; Be it therefore “enacted, that in such cases it shall and may be lawful for the several Courts in making up judgment to order the Debtors to deliver “the Articles specified in their respective securities by a certain day, “not exceeding the Term of three months from the time of giving Judgment, and in default, that executions shall issue for the value “in silver and Gold.— And Be it further enacted by the authority “aforesaid, that the Fees taken by the Courts and Officers of this “State be the same as were established by an Act of the Legislature “of the late Province of New Hampshire, passed the 12th day of “march 1768, entitled an Act in amendment of the Acts for establishing Fees belonging to the several Officers in this Province.” be and the same is hereby repealed—

Provided always that this Act shall not take effect until the fifteenth Day of September next, at which time it shall be in full force. Provided nevertheless that the aforesaid repealed Acts or laws shall be in full force as to all matters done or transacted during their existence to which they relate, to all intents and purposes as tho’ the repealing act aforesaid had not been made. And all such matters may be prosecuted, commenced, done and completed at any time hereafter pursuant to the same laws. Except however,

the Act before mentioned, entitled, an Act to prevent incestuous marriages." which shall be considered as repealed from and after the seventeenth Day of June in the year of our Lord, one thousand seven hundred and ninety one.—

[CHAPTER 21.]

State of }
New Hampshire. }

AN ACT IN FURTHER ADDITION TO AN ACT PASSED THE SEVENTEENTH DAY OF JUNE ANNO DOMINI, 1791, ENTITLED "AN ACT SUSPENDING THE OPERATION OF SUNDRY ACTS THEREIN ENUMERATED AND REFERRED TO, UNTILL A CERTAIN PERIOD."—

[Passed June 20, 1792. Original Acts, vol. 13, p. 104; recorded Acts, vol. 8, p. 42. Laws, 1797 ed., p. 441; id., 1805 ed., p. 401; id., 1815 ed., p. 473. The act referred to is printed in Laws of New Hampshire, vol. 5, p. 778. See act of January 5, 1792, Laws, 1805 ed., p. 400. Repealed by act of June 20, 1797, Laws, 1805 ed., p. 137.]

Whereas it is found necessary further to suspend the Operation of said Acts or Laws now known by the Name of the *Revised Laws*—Therefore,

Be it enacted by the Senate and House of Representatives in general Court convened, that the Operation of said Acts or revised Laws and those also in the said Act referred to, be, and hereby are, further suspended untill the fifteenth Day of September next, then to take Effect, and be in full Force—Provided Nevertheless, that an Act entitled "An Act to prevent incestuous Marriages and to regulate Divorces" shall not be suspended hereby—

[CHAPTER 22.]

State of }
New Hampshire. }

AN ACT TO MAKE THE BRIDGE OVER EXETER RIVER, BETWEEN NEW-MARKET AND STRATHAM A TOLL BRIDGE ; AND TO VEST THE PROPERTY THEREOF IN JAMES HILL, NATHANIEL ROGERS, JONATHAN ROBINSON, ELIPHALET SMITH, JONATHAN WIGGIN, EZRA SMITH AND ANDREW WIGGIN THEIR EXECUTORS ADMINISTRATORS AND ASSIGNS FOR THE TERM OF THIRTY YEARS ON THE CONDITIONS THEREIN MENTIONED.

[Passed June 21, 1792. Original Acts, vol. 13, p. 105; recorded Acts, vol. 8, p. 1.]

Whereas said bridge was built by lotteries granted for that purpose, and hath since been kept part of the time in such repair as to be passable by subscription; but that mode of maintaining the

same in proper repair failing, and there being no provision now for that purpose, although said bridge is of great public use and convenience— Therefore,

Be it enacted by the senate and house of Representatives in general court convened that the said James Hill, Nathaniel Rogers, Jonathan Robinson, Eliphalet Smith, Jonathan Wiggin, Ezra Smith and Andrew Wiggin, together with those who shall become proprietors in said bridge, so long as they continue proprietors thereof, shall be a corporation and body politic, for the purpose of repairing and maintaining said bridge, under the name of the Proprietors of Newmarket and Stratham bridge. and by that name may sue and be sued to final Judgment and execution. and do and suffer all matters, acts and things which bodies politic may or ought to do or suffer, and the said corporation shall and may have and use a common seal and the same may break alter and renew at pleasure.

And be it further enacted that the said James Hill esquire shall call a meeting of said proprietors by advertizement in the New-hampshire Gazette to be holden at any suitable time and place after fourteen days from the first publication of said Advertizement: And the proprietors by a vote of the majority of those present or represented at said meeting (accounting and allowing one vote to each share in all cases) shall choose a clerk who shall be sworn to the faithful discharge of his said office; and shall also agree on a method of calling future meetings; and at the same time, or any subsequent meetings may elect such officers and make and establish such rules and bye laws as to them shall seem necessary or convenient for the regulation & government of the said corporation for carrying into effect the purpose aforesaid and for collecting the toll herein after granted and established; and the same rules and bye laws may cause to be executed, and may annex penalties to the breach thereof not exceeding forty shillings for any one breach provided the said rules and bye laws are not repugnant to the constitution and laws of this state. And all representations at any meetings of said corporation shall be proved by writing signed by the person to be represented which shall be filed by the clerk. And this act and all rules, bye laws, regulations and proceedings of the said corporation shall be fairly and truly recorded by the clerk in a book or books to be provided and kept for that purpose.

And be it further enacted by the authority aforesaid that the proprietors aforesaid be, and they hereby are permitted & allowed to repair said bridge and support the same for the term aforesaid. And the said proprietors be and they hereby are authorised and empowered to purchase any lands adjoining said bridge and to hold the same in fee simple. And the share or shares of any of said proprietors may be transferred by deed duly executed and acknowledged and recorded by the clerk of said proprietors on their records.

And be it further enacted that for the purpose of reimbursing the

said proprietors the money by them to be expended in repairing and supporting the said bridge for the term aforesaid a toll be & hereby is granted and established for the benefit of said proprietors according to the rules following namely, for each foot passenger one cent, for each horse and rider two cents, for each horse and chaise, chair and sulkey or other riding carriage drawn by only one horse eight cents, for each riding sleigh drawn by one horse three cents, for each riding sleigh drawn by more than one horse four cents, for each coach, chariot, phaeton or other four wheel carriage for passengers drawn by more than one horse twenty cents, for each curricule nine cents, for each cart or other carriage of burthen drawn by one beast three cents, for each waggon, cart or other carriage of burthen drawn by two beasts five cents, and if drawn by more than two beasts six cents, for each horse or neat creature exclusive of those rode or in carriages one cent, for sheep and swine one quarter of a cent each, and to each team one person and no more shall be allowed as a driver to pass free of toll. And at all times when the toll gatherer shall not attend his duty the gate or gates shall be left open.

And be it further enacted that a draw, hoist or swing for said bridge shall be kept, maintained and supported by the said proprietors for the term aforesaid, in the same place that, and not narrower than, the same now is, and that all vessels shall have liberty to pass through the same free of toll in the same manner as heretofore. Provided that said proprietors shall not avail themselves of the privilege given by this act before they shall jointly and severally give bond to the speaker of the house of representatives, to be lodged in the treasurers office, in the sum of one thousand pounds conditioned that said bridge shall be kept in good repair during said term, & at the expiration thereof to leave the same in good repair, and that the present necessary repairs be compleated within three months from the passing this act

[CHAPTER 23.]

State of }
New Hampshire. }

AN ACT FOR ALTERING THE TIME FOR HOLDING THE ANNUAL MEETING IN NEW HAMPTON—

[Passed June 21, 1792. Original Acts, vol. 13, p. 106; recorded Acts, vol. 8, p. 6.]

Whereas the Selectmen of the Town of New Hampton in the County of Strafford have petitioned the General Court praying that the time of holding their annual meeting may be altered from the last tuesday of March to the first tuesday of March

Therefore—

Be it enacted by the Senate and House of Representatives in General Court convened that the time for holding the annual meeting in said Town of New Hampton be altered, and that hereafter the annual meeting for choosing town officers shall be holden on the first tuesday of March any law usuage or custom to the contrary notwithstanding—

[CHAPTER 24.]

State of }
New Hampshire. }

AN ACT DIRECTING THE MODE OF CHOOSING REPRESENTATIVES TO THE CONGRESS OF THE UNITED STATES.—

[Passed June 21, 1792. Original Acts, vol. 13, p. 107; recorded Acts, vol. 8, p. 31. Laws, 1797 ed., p. 164; id., 1805 ed., p. 37; id., 1815 ed., p. 39. See act of November 12, 1788 which relates to balloting, Laws of New Hampshire, vol. 5, p. 331; also see act which bears the same title as this one, dated June 17, 1790, Laws of New Hampshire, vol. 5, p. 518. See additional act of June 19, 1812, Laws, 1815 ed., p. 41.]

Be it enacted by the Senate and house of Representatives in General Court convened, That the Inhabitants of the several towns, parishes, plantations and places in this State, qualified to vote in the choice of Senators for the State Legislature, shall assemble in their respective towns, parishes, plantations or places, on the last monday of August next, and on such other days as shall be directed in precepts for that purpose, to be hereafter, with advice of Council, issued, by the supreme executive Majestrate of this State, so often, and whenever, by the constitution and laws of the United States, it may become necessary; to elect by ballot, such number of persons duly qualified, as this State may be entitled to, for the Representatives in the Congress of the United States, and the Selectmen of the towns, parishes, plantations and places respectively shall give fifteen Days notice of the time, place and design of such meeting, which meeting shall be governed by a Moderator chosen for that purpose, who shall impartially preside, and with the Selectmen, whose duty it shall be to attend at such meeting, shall receive from all the Inhabitants of such towns, parishes, plantations and places respectively present and qualified as aforesaid ballots or votes for such representatives; and shall in open meeting sort & count the same of all which the Clerk of such town, parish, plantation or place respectively shall make a fair record in the presence of the said Selectmen of the name of every person voted for, and the number of votes against his name, and a full and fair copy of this record shall be made out and attested by the said Selectmen and Clerks respectively, and sealed up & directed to the Secretary of the State with a Superscription expressing the purport thereof, and trans-

mitted into the Secretary's office as hereinafter directed. And the Secretary shall as soon as may be, lay the same before the Supreme executive Majistrate and Council to be by them examined—and in case there shall appear to be any or the full number elected by a majority of votes, the person or persons thus chosen shall be declared duly elected; but in case there shall not be any or the whole number so elected, the supreme executive majistrate in the presence of the Council shall cause to be made out a list of the persons having the highest number of votes equal to double the number of Representatives wanted, and if in making out such list it shall happen that two or more persons voted for, have an equal number of votes one of whom wou'd be entitled to a place in such list, the names of such persons shall be put into a box, and the Secretary not being one of the Candidates, shall in the presence of said Supreme executive Majistrate draw the number wanted to complete such list, and the names of the persons contained in the list so made, shall be transmitted to the Selectmen of the several towns, parishes, plantations and places aforesaid respectively, who shall warn a meeting to be holden on the twelfth day of November next, which meeting shall be notified, held, governed, and the votes received sorted, counted and certified as before directed and transmitted into the Secretary's office as herein after directed and forever after, all such meetings shall be held on the day directed in the precepts to be issued as aforesaid and accompanying such lists; which meetings shall be called, notified, held and governed, and all transactions relative to the same conducted, in manner aforesaid; and all votes so transmitted to the Secretary's office, shall be duly examined by the said Supreme executive Majistrate and Council for the time being, or such of them whose names are not contained in such list, & such number of Candidates equal to the number of Representatives wanting, as have the highest number of votes shall be declared duly elected, and in case it shall happen by reason of an equality of votes, a choice of the whole number or any part of the Representatives wanting, cannot be declared, the names of the Candidates shall be put into a box, and the Secretary, not being one of the said Candidates shall in the presence of the supreme executive Majstrate, draw out the number wanted, and the person or persons whose name or names shall be so drawn out, shall be declared duly elected—the members so elected and declared, shall be considered as Representatives of, the State of New Hampshire in the Congress of the United States, the terms for which they shall be respectively chosen, and the Secretary shall as soon as may be, notify them of their appointment, and each of the said Representatives shall have a Certificate of their election or a Commission under the seal of the State signed by the supreme executive Majistrate for the time being, and countersigned by the Secretary. And in case where the Secretary is a Candidate and his name put into the box as aforesaid, the

said supreme executive Majistrate shall appoint some other suitable person in his stead to draw out the name or names of persons in the manner herein before Directed. And when it shall happen that by the votes returned there shall be a majority for more persons than the number required, as many of them as are wanted having the highest number of votes, shall be declared elected. And be it further enacted, That the several Clerks aforesaid respectively shall transmit a Certificate of all votes taken, sealed up, and directed as aforesaid to the Sheriff of the County to which he belongs within ten Days after the time of holding their respective meetings, or shall transmit the same to the Secretary's office at farthest within twenty Days from and after the time of such meeting's being held; And the several Sheriffs shall within twenty five days from and after the time of holding such meetings, transmit to the Secretary's office all votes that shall in manner aforesaid be respectively delivered to them, Excepting only that for the present year the votes collected at the second meeting shall by the several Clerks be transmitted to the respective Sheriffs within five days after said meetings or be transmitted to the Secretary's office within ten days after such meetings. And the respective Sheriffs shall convey all votes transmitted to them as aforesaid to the Secretary's office within ten Days after the time of holding said meetings.

And be it further enacted, That the respective Sheriffs and the Clerks aforesaid shall be liable to the same penalties for the neglect of the duties enjoined on them respectively by this Act, as they are liable to by law for omissions in transmitting the votes for the choice of the President and Senators of this State.—

[CHAPTER 25.]

State of }
New Hampshire. }

AN ACT FOR ALTERING THE PLACES FOR HOLDING THE COURTS IN THE COUNTY OF STRAFFORD—

[Passed June 21, 1792. Original Acts, vol. 13, p. 108; recorded Acts, vol. 8, p. 37. Laws, 1797 ed., p. 59. This act suspends part of the act of February 10, 1791, Laws of New Hampshire, vol. 5, p. 650. See act of June 10, 1793, Laws, 1797 ed., p. 60. See also act of December 15, 1796, id., p. 468.]

Be it enacted by the Senate and House of Representatives in General Court convened—that the times and places of holding the Judicial Courts for the County of Strafford be altered and established as follows—Namely—the Superior Court of Judicature Shall be holden at Dover for the County of Strafford on the Second tuesdays of April and September annually and the Court of common pleas shall be holden at the said Dover on the third tuesday of February annually— and at Moultonborough on the third tuesday

of June Annually—and at Gilmantown in or as near as convenient to the Reverend Mr Smiths meeting house on the third tuesdays of August and November annually— And the Courts of General Sessions of the peace for the County of Strafford Shall be holden at Dover on the thursday next following the third tuesday of February— And at Gilmantown on the thursday next following the third tuesday of August annually—

And be it further enacted that all writs warrants venuries recognizances appeals actions indictments and processes of every kind returnable to or sustainable by the Inferior Court of common pleas next to be holden at Durham in said County and the Court of General Sessions of the peace next to be holden at said Durham—shall be returned to and sustained by the respective courts to which they are or shall be returnable , next to be holden at Gilmantown—

And be it further enacted that so much of an Act intituled an Act altering the places of holding the Courts in the County of Strafford made and passed the tenth day of February 1791 as relates to holding courts in the County of Strafford and also the operation of so much of the act intituled “an Act for establishing courts of law for the administration of Justice within this State and designating their powers and regulating their proceedings in certain cases” made and passed the tenth day of February 1791—as relates to holding the Courts at a place called New Durham Gore be Suspended for the term of two years from the time this act takes affect and is in force—

Provided always this Act shall not take effect and be in force until the last day of June current—and shall not continue and be in force for a longer time than two years from that time—

[CHAPTER 26.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING THE SOUTH WEST PARISH IN AMHERST—

[Passed June 21, 1792. Original Acts, vol. 13, p. 109; recorded Acts, vol. 8, p. 39. See act of November 23, 1782, Laws of New Hampshire, vol. 4, p. 483.]

Whereas a Petition hath been preferred to the General Court by certain Inhabitants of Amherst in the County of Hillsborough praying that a certain Parish may be erected in said Amherst—Therefore

Be it enacted by the Senate and House of Representatives in general court convened that there be erected and formed a certain parish in said town of Amherst to be bounded as follows namely—Beginning at Lyndborough line at the corner of the north west parish in said Amherst thence easterly to the northeasterly corner

of Amos Green's lot called the mill-lot thence southerly on a straight line to the southwesterly corner of the lot number twenty, thence easterly on the range line to the northeasterly corner of William Peabody's land to land belonging to Jotham and Daniel Shepherd thence easterly to the northeasterly corner of the Said Shepherd's land thence southerly by the Said Shepherds land to Souhegan river thence down the middle of said river to land belonging to Benjamin and Stephen Kindrick thence Southerly by Said Kindricks land to the road leading from David Danforth's to William Crosby's thence crossing said road and running a south point to Hollis line thence westerly on said Hollis line to the southwesterly corner of said Amherst thence notherly on said Amherst line to Souhegan river afore-said thence down said river to the southeasterly corner of Duxbury school farms (so called) thence northerly on said Amherst line to the bounds first mentioned —by the name of the Southwest parish in Amherst—And the Inhabitants thereof be and hereby are formed into a body politic and corporate with parish privileges for the sole purpose of settling a minister and contracting with him for his support and building and repairing a meeting house and the same to do from time to time as occasion may require to have succession forever—And by that name may sue and be sued to final Judgement and execution—And to do and complete every act necessary for carrying said purposes into effect—And Augustus Blanchard Esquire of said parish is hereby authorized to call a meeting of said Inhabitants for the purposes of choosing all necessary Parish officers , and of determining upon the method of calling future meetings, and shall preside at said meeting until a Moderator be chosen—And said meeting shall be warned by posting up notice thereof in some public place in said parish at least fourteen days prior to the meeting—And the annual meeting for choosing parish officers shall be holden on the first monday of march forever—

Provided always that this Act shall not affect any debts due from said Inhabitants to the old or first parish in said Amherst or contracts made by said first parish—or taxes already assessed upon said Inhabitants or their estates but the same may be levied and collected as if this Act had not been made

[ORDERS, RESOLVES AND VOTES OF A LEGISLATIVE NATURE PASSED DURING THIS SESSION.]

1792. June 13.

Whereas it is of Importance that the citizens of this state should be informed of all the Laws of a public nature as soon after they are enacted as possible

Therefore Resolved that the Secretary be required as soon as may be after the close of each Session to cause a proper number of the Laws of this state of a public nature passed at such Session to be printed on paper

of a Size and quality that shall correspond with the last Edition of the state Laws, which copies shall be distributed as soon as it can be conveniently done to the several places and persons who have usually been furnished with them, and the Several printers of public papers in this state shall each of them be entitled to receive an authenticated printed Copy at the Secretarys office for the purpose of publishing said laws and Resolves in their respective papers free of any expence to the State—

[House Journal, 1790-94, p. 360. Senate Journal, 1791-6, p. 81.]

1792, June 15.

The Committee to take under consideration what is necessary to be done respecting the revised Laws and to what time the Suspension Act shall be prolonged &c— Reported that the said revised Laws be suspended until the thirtieth day of November next, then to take effect together with the repealing Act but that the repealed Laws however be in full force respecting all matters during their Existence to which they relate that is until the said thirtieth day of November to all intents and purposes as though the repealing Act had not been made which report being read and considered voted that it be received and accepted—

[This vote was concurred with this alteration: “that the said revised Laws be suspended until the 15th of Sept^r next instead of the 30th of Nov^r next.” House Journal, 1790-94, p. 370. Senate Journal, 1791-6, p. 88.]

1792, June 20.

Resolved that the Treasurer be directed and impowered to Loan on Interest of Six p^r Cent p^r Annum for any time not exceeding twelve months any Sum not exceeding Seven thousand pounds of the money now in the Treasury to any citizen or citizens of this State who may apply for the Same taking their Obligations for the Sum loaned and Interest thereon and six p^r Cent stock of the United states to the Amount of fifty p^r Cent more than the Sum so loaned or other Securities of this or the United states according to their Specie value in that proportion as Collateral Security—

[House Journal, 1790-94, p. 384. Senate Journal, 1791-6, p. 96.]

1792, June 21.

Whereas a Resolve passed the General Court June 13th 1790, providing for the payment of outstanding taxes and the time limited for the Select men to compleat the Settlement with collectors and make return thereof to the Treasurer expired September 1791 and a further time has since been allowed which expired the first day of March last past— Therefore

Resolved that the time for the Select men to compleat the Settlement with the Collectors and to make return thereof to the Treasurer be further lengthned out until the close of the next Session of the General Court and that the Treasurer is hereby directed to receive of any Collector the tax

due from him or any part thereof on his producing a Certificate from the Select men of the Town or place to which he belongs of his Settlement with the Select men as provided by said Resolve—

[House Journal, 1790-94, p. 384. Senate Journal, 1791-6, p. 97.]

1792, June 21.

Voted that George Gains Esq^r be desired to call on M^r John Melcher who is hereby directed to deliver to the said Gains the three hundred and forty books of the revised laws which he printed for this State which were not approved of by the Legislature and that said Gains keep the Same until further order of the General Court—

[House Journal, 1790-94, p. 396. Senate Journal, 1791-6, p. 98.]

1792, June 22.

Whereas the time limited by the General Court for the Commissioners of this State to receive and state the claims of this state against the United states has expired and a further time being necessary— Therefore Resolved that James Macgregore Esq^r be allowed a further time until the next Session of the General Court for receiving and stating said Accounts and that he be allowed to employ what Clerks he shall judge necessary and be vested with all the powers given him by a Resolve of the Seventh of June A D. 1791. and all vouchers of said claims now obtained or that may hereafter be obtained as soon as possible delivered by said Commissioner to the Treasurer in Order that they may be forwarded on to the Commissioners at Philadelphia—

[House Journal, 1790-94, p. 397. Senate Journal, 1791-6, p. 99.]

1792, June 22.

Whereas the duties and business of a Comptroller of Accounts having by the adjustment of the principal accounts and by the operation of the government of the United states been so far lessened as to become unnecessary— Therefore

Resolved that said Office of Comptroller of accounts shall cease and determine from the time of passing this resolve and that all papers accounts and books in said Office shall be delivered over by said Comptroller to the President and Council as soon as may be who shall on receiving them deposit said papers in the respective Offices to which they most properly belong—

[House Journal, 1790-94, p. 398. Senate Journal, 1791-6, p. 99.]

[*Second Session, Held at Exeter, November 21, 22, 23, 24, 26, 27, 28, 29, 30; December 1, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 1792.*]

[CHAPTER 1.]

State of }
New Hampshire. }

AN ACT TO ALTER THE TIME OF HOLDING THE ANNUAL MEETING IN THORNTON—

[Passed November 28, 1792. Original Acts, vol. 13, p. 110, recorded Acts, vol. 8, p. 44.]

Whereas the Select men of Thornton in the County of Grafton have petitioned the General Court shewing that the time by Law established for holding the Annual meeting in said Town (being the last Tuesday of March) is for reasons mentioned in s^d petition, inconvenient for the Inhabitants to Attend: And praying that the time for holding said meeting may be altered from the last Tuesday, to the first monday of March—which prayer appearing reasonable, Therefore—

Be it enacted by the Senate and House of Representatives in Gen^l Court convened, That the annual meeting in Thornton be forever hereafter holden on the first monday of March instead of the last Tuesday of March any Law usage or custom to the Contrary notwithstanding—

[CHAPTER 2.]

State of }
New Hampshire. }

AN ACT FOR THE PROTECTION OF JONATHAN GREELEY ESQ^R

[Passed November 29, 1792. Original Acts, vol. 13, p. 111; recorded Acts, vol. 8, p. 45.]

Whereas it has been represented to the General Court, that Jonathan Greeley of Sandwich in the County of Strafford Esq^r is under the necessity of attending the said Court in their present Session upon very urgent and necessary business But that his embarrassed situation is such, as woud render him liable to arrest on civil process, unless protected

Therefore Be it Enacted by the Senate and House of Representatives in General Court convened that the said Jonathan Greeley Esq^r be exempted from all arrests on civil process during the present session of the General Court, and his journey to and from the same; any law, usage or custom, to the contrary notwithstanding

[CHAPTER 3.]

State of }
New Hampshire. }

AN ACT TO VEST THE EXCLUSIVE PRIVILEGE OF KEEPING A FERRY
 OVER A CERTAIN PART OF CONNECTICUT RIVER IN JOHN BELLOWES
 OF WALPOLE HIS HEIRS & ASSIGNS

[Passed December 6, 1792. Original Acts, vol. 13, p. 112; recorded Acts, vol. 8, p. 46.]

Whereas John Bellows of Walpole in the County of Cheshire and State aforesaid Esq^r hath petitioned the General Court setting forth that it would be convenient for the inhabitants of the Town of Walpole and of great benefit to the public that a ferry should be established across Connecticut river between the ferries already granted to Benjamin Bellows late of Walpole deceased, and Benjamin Bellows now of Walpole, and praying that a ferry may be granted to him between the aforesaid grants which prayer appearing reasonable, Therefore Be it enacted by the Senate and house of Representatives in General Court convened that the sole and exclusive right and privilege of keeping a ferry over Connecticut river between the ferries already granted to Benjamin Bellows late of Walpole and Benjamin Bellows now of Walpole be and hereby is granted to and vested in the said John Bellows, his heirs and assigns, he or they on or before the first day of June next giving bond with sufficient surety in the sum of Two hundred pounds to the Clerk of the Court of the general sessions of the peace for the County of Cheshire, that the said ferry shall be constantly attended and well kept

And be it further enacted that if any person or persons shall for hire or reward transport over said river within the limits aforesaid any person, creature or thing, such person so transporting shall forfeit and pay to the said John Bellows his heirs or assigns the sum of forty shillings to be recovered by action of debt before any Court within said County proper to try the same.—

[CHAPTER 4.]

State of)
New Hampshire. {

AN ACT TO AUTHORIZE AND EMPOWER JEREMIAH LIBBEY ESQ^R OF PORTSMOUTH GUARDIAN OF MARK SIMES A MINOR TO SELL AND CONVEY A CERTAIN LOT OF LAND IN PORTSMOUTH BELONGING TO SAID MINOR.

[Passed December 7, 1792. Original Acts, vol. 13, p. 113; recorded Acts, vol. 8, p. 48.]

Whereas the said Jeremiah Libbey, the said Mark Simes, and Eliphalet Ladd Esq^r have petitioned the General Court, representing that the said Mark is the Owner of a certain Lot of Land in Portsmouth lying between Market Street and High Street, adjoining to Land lately purchased by the said Eliphalet, that the said Lot is likely to be of little profit or income to said Minor, but would greatly accomodate the Land of the said Eliphalet—, who is ready to give the full value for the same, & that it would be greatly for the Interest of the said Minor that said Lot should be now sold; praying that said Jeremiah may be authorised and empowered to sell said Lot and give a good and valid Deed thereof; which facts appearing to be true, and the prayer of said Petition reasonable, Therefore

Be it enacted by the Senate and House of Representatives in General Court convened, that the said Jeremiah Libbey be, and he hereby is fully authorised and empowered to make sale of said Lot of Land to any person or persons, (being a Citizen or Citizens of this or any of the United States,) and to give a good and legal deed thereof in due form, which shall be effectual to transfer and convey the Title of the said Mark to said Lot; He the said Jeremiah giving caution to the Judge of Probate for the County of Rockingham that the purchase money shall be placed at Interest on good Security, and accounted for to said Mark on his arrival at full age.

[CHAPTER 5.]

State of }
New Hampshire. }

AN ACT TO VEST IN ELIEZER ROSBROOK HIS HEIRS & ASSIGNS THE SOLE & EXCLUSIVE PRIVILEGE OF KEEPING A FERRY OVER THE RIVER CONNECTICUT IN A CERTAIN PART THEREOF FOR THE TERM OF FORTY YEARS—

[Passed December 7, 1792. Original Acts, vol. 13, p. 114; recorded Acts, vol. 8, p. 50.]

Whereas Eliezer Rosbrook has represented to this Court that he has for some time past opened & kept a Ferry over Connecticut River from the Town of Lancaster in this State to Gildhall in the State of Vermont and by his petition prayed the exclusive privilege of keeping a Ferry at said Place might be granted to him his Heirs & Assigns forever—and it appearing in part reasonable —Therefore

Be it enacted by the Senate and House of Representatives in General Court Convened that there be and hereby is granted to the said Rosbrook his Heirs & Assigns for the space of forty Years from and after the passing this Act, the sole & exclusive privilege of keeping a ferry over said River, at the place where said Ferry has been by him kept, and extending one mile up and one mile down said River

And be it further enacted that the said Rosbrook shall within one year from this time give Bond to the Clerk of the Court of General Sessions of the Peace within & for the County of Grafton in the State aforesaid in the sum of one hundred pounds that said Ferry shall be well attended and constantly kept, and the said Court shall from time to time state the fees—

And be it further enacted that if any person or persons other than the said Rosbrook his Heirs & assigns shall, for Hire or Reward, Transport over said River within the limits aforesaid, during the term aforesaid any Person, Creature or Thing—the Person or persons so offending shall forfeit & pay to him his Heirs or Assigns the sum of forty shillings, to be Sued for and recovered in Any Court proper to try the same—and a Copy of this Act Shall be received in evidence—

[CHAPTER 6.]

State of }
New Hampshire. }

AN ACT TO REPEAL CERTAIN ACTS.—

[Passed December 7, 1792. Original Acts, vol. 13, p. 115; recorded Acts, vol. 8, p. 52. This act repeals the acts of June 23, 1786 and June 24, 1786, Laws of New Hampshire, vol. 5, pp. 172, 173.]

Whereas the Act entitled “an Act to encourage the importation of drugs and wood used in dying cloths, Artificers tools, spanish wool, raw silk and other raw materials” made and passed on the twenty third day of June in the Year of our Lord one thousand seven hundred and eighty six—And also the Act entitled “an Act to encourage the importation of coined gold and silver into this State” made and passed the twenty fourth day of the same June have by the Constitution and laws of the United States been rendered inoperative— Therefore

Be it enacted by the Senate and House of Representatives in General Court convened, that the aforementioned Acts be and hereby are repealed—

[CHAPTER 7.]

State of }
New Hampshire. }

AN ACT TO IMPOWER SILAS NOWELL GUARDIAN OF HIS CHILDREN TO SELL CERTAIN REAL ESTATE TO THEM BELONGING, LYING IN THIS STATE—

[Passed December 7, 1792. Original Acts, vol. 13, p. 116; recorded Acts, vol. 8, p. 59.]

Whereas Silas Nowell of Newbury port in the County of Essex and Commonwealth of Massachusetts has petitioned the General Court setting forth that he is Guardian of Sarah Johnson Nowell, James Nowell, Martha Nowell, Silas Nowell Jun^r Ralph Cross Nowell, & Phebe Nowell, his Children minors under twenty one Years of age—That they are the devisees and owners of one undivided sixth part of the Estate of their Grandfather Ralph Cross late of said Newbury port deceased by force of his last Will, chargeable with the payment of one hundred and eighty pounds with interest to his Sons Stephen Cross and Ralph Cross Esqrs Executors of his Will— And praying that he may be authorized to join with the other devisees to agree upon and make a division of said Estate by deed. And That he may be authorized to sell the said Children’s share in said Real Estate for the purpose of paying said sum with the interest

to said Executors, or to sett off to said Executors a sufficiency thereof in addition to their shares for that purpose—

Be it therefore enacted by the Senate and House of Representatives in General Court convened that Silas Nowell Father and lawful Guardian of Sarah Johnson Nowell James Nowell, Martha Nowell, Silas Nowell Jun^r, Ralph Cross Nowell, and Phebe Nowell all of Newbury port in the County of Essex minors, be and he hereby is, fully authorized and impowered, to sell and convey all the real Estate to them belonging lying in this State, which was devised to them in and by the last Will and Testament of their Grandfather Ralph Cross late of Newbury port deceased, and is now holden in common with the other devisees—And to make and execute a good deed or deeds of the real Estate so sold, to the purchaser or purchasers, which deed or deeds so made shall convey the fee simple in said Estate as fully and effectually as the said Minors could do were they of lawful Age—Provided that the said Silas Nowell shall previous to his conveying the Estate aforesaid or any part thereof give Bond with sufficient sureties in an adequate sum to the Judge of the Probate of Wills &ca for the County of Rockingham to account with said Minors for the proceeds of the same with the Interest when he shall be thereto lawfully required—

[CHAPTER 8.]

State of . . .)
New Hampshire.)

AN ACT FOR THE PROTECTION OF ROBERT SMITH—

[Passed December 7, 1792. Original Acts, vol. 13, p. 117; recorded Acts, vol. 8, p. 62. See act of the same title, passed June 17, 1794, recorded Acts, vol. 8, p. 389.]

Whereas it has been represented to the General Court, that Robert Smith of Bennington in the State of Vermont is under the necessity of attending the said Court in the present session upon urgent and necessary business; and especially for the purpose of correcting a mistake, which the said Robert suggests hath taken place in the settlement of An Account between him, & the said State, and that his embarrassed situation is such as would render him liable to arrest on civil process unless protected.

Therefore, Be it Enacted by the Senate and House of Representatives in General Court convened, that the said Robert Smith be exempted from all arrests on civil process during his coming to the General Court, and attending the same untill the close of the present Session, and in returning therefrom; any Law, usage or custom to the contrary notwithstanding.—

[CHAPTER 9.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AND IN EXPLANATION OF AN ACT MADE AND PASSED THE NINTH DAY OF FEBRUARY ANNO DOMINI 1791. INTITLED "AN ACT REGULATING PROCESS AND TRIALS IN CIVIL CAUSES"

[Passed December 11, 1792. Original Acts, vol. 13, p. 118; recorded Acts, vol. 8, p. 64. Laws, 1797 ed., p. 96; id., 1805 ed., p. 95; id., 1815 ed., p. 107. For the act referred to, see Laws of New Hampshire, vol. 5, p. 621. See additional acts of December 13, 1796, Laws, 1797 ed., p. 465; June 21, 1797, Laws, 1805 ed., p. 96, and November 5, 1813, Laws, 1815 ed., p. 109.]

Whereas in and by the aforementioned Act it is among other things provided "That no Justice of the Court of Common Pleas, "Court of General Sessions of the Peace or Superior Court of Judicature, shall sit in the Trial of any Cause on the Appeal, which he "hath before tried at the Court appealed from" Which clause has been so construed as in many cases to operate injuriously; Therefore for Amendment & explanation thereof

Be it enacted by the Senate & House of Representatives in General Court Convened That said Clause shall not be intended or construed to disqualify or prevent any Justice of the Superior Court of Judicature from sitting in the Trial of any cause where the appeal was from any Judgment Rendered on Demurrer or any other plea when either party reserves liberty of waving his plea, and pleading anew at the Superior Court and does actually wave his first plea & plead a new Plea, said Justice having sat in the trial of the Cause at the Inferior Court of Common Pleas or Court of Common Pleas notwithstanding

[CHAPTER 10.]

State of }
New Hampshire. }

AN ACT TO ANNEX THE TWO EAST RANGES OF LOTTS OF LAND IN THE TOWNSHIP OF GREENFIELD HERETOFORE CALLED LYNDBOROUGH ADDITION—TOGETHER WITH THOSE PERSONS HEREIN HEREAFTER MENTIONED—TO THE TOWN OF FRANCIS-TOWN

[Passed December 11, 1792. Original Acts, vol. 13, p. 119; recorded Acts, vol. 8, p. 66.]

Whereas Ithamer Woodward, Andrew Cresey, Francis Epes, Jacob Dutten, Reuben Kimball, William Draper, John Batten, Isaac Balch, Israel Balch and Richard Batten, have preferred a Petition to the General-Court of said State— setting forth that they labour

under many difficulties by Reason of their local situation—and praying that they may be annexed to Frances-Town—said Frances Town being willing to Receive them—

The prayer of which Petition appearing in part reasonable—

Therefore be it Enacted by the Senate and House of Representatives in General Court convened that the Ranges of Lotts formerly known by the name of Lyndborough Addition together with the said Ithamer Woodward, Andrew Cresey, Francis Epes, Jacob Dutton, William Draper, John Batten Isaac Balch, Israel Balch and Richard Batten be and hereby are annexed to the Town of Frances-Town excepting that Farm commonly known by the name of the Kimball Farm and the common Lands contained within the before mentioned East Ranges in said Greenfield or Lyndborough Addition (so Called) .

And be it further enacted by the Authority afore said that all & every Tax or Taxes heretofore layed upon the before described Lands and its Inhabitants legally assessed and to this Time unpaid by the before mentioned Persons and due to the Towns of Greenfield or Lyndborough shall be fully discharged with the several Collectors to whom such Taxes may become due any custom or Usage to the Contrary Notwithstanding

[CHAPTER 11.]

State of }
New Hampshire. }

AN ACT TO SECURE TO THE INHABITANTS OF THE COUNTY OF CHESHIRE A TRIAL BY JURY IN A CERTAIN CASE—

[Passed December 11, 1792. Original Acts, vol. 13, p. 120; recorded Acts, vol. 8, p. 68.]

Whereas the Inhabitants of the County of Cheshire have petitioned the General Court Setting forth that they were unjustly liable to pay one Leonard Keep of Westmoreland in said County Gentleman the Sum of Forty three pounds Six Shillings and eight pence and Cost of Courts in Consequence of a virdict of a Jury rendered at the Court of Common pleas holden in Said County in march last—in an action of review wherein the Said Leonard Keep was plaintiff against the Sheriff of Said County for the Escape of one Thomas Brintnal of Said Westmoreland—when in fact the Said Inhabitants had not been heard before Said Court and Jury—and prayed for a trial by Jury in the premises—which prayer appearing to be reasonable

Therefore

Be it enacted by the Senate and house of Representatives in General Court Convened that the Said Inhabitants be and they hereby are fully authorised and impowered to bring up and enter Said

action at the Superior Court of Judicature to be holden at amherst within and for the County of Hillsborough on the Second Tuesday of may next and therein to defend with the Said Sheriff or by themselves if he refuse from Term to Term untill the Same be ended and to produce any new or further evidence therein— also to make any new plea if the nature of the Case Shall So require—and the Clark of Said Court of Common pleas Shall make out and Certify in Common form a copy of Said action and all the proceedings therein which Copy Shall be received in the trial of Said action or Cause—and the Said Superior Court are hereby authorised and impowered to hear Consider and ditermine Said Cause and to Continue the Same from term to term untill final Judgment—and to award execution thereon as fully to all intents and purposes as they might have done had Said action been brought before them in the Common and ordinary Course of law—and to Set a Side the Verdict aforesaid and Judgments there on and render a new Judgment therein as afore Said— and all proceedings in Consequence of Said Verdict and Judgment of the Said Court of Common pleas Shall be Stayed untill the final Judgment of the S^d Superior Court— and the Court of General Sessions of the peace for Said County of Cheshire are hereby authorised to appoint one or more agents or attornies to appear and defend as aforesaid on behalf of Said Inhabitants— and the Said Inhabitants Shall Cause the Said Leonard Keep to be Served with a writ of review of Said action pursuant to this act twenty days before the Setting of Said Superior Court to be Issued by the Clark of the Same Court who is hereby authorised to give the Same—as tho' Said action had before been tried in Said Superior Court

[CHAPTER 12.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED “AN ACT FOR SETTLING TESTATE ESTATES,” AND IN ADDITION TO AN ACT ENTITLED “AN “ACT ORDERING THE DESCENT OF INTESTATE ESTATES, AND EM-
 “POWERING THE JUDGE OF PROBATE TO SETTLE THE SAME ACCORD-
 “INGLY”—

[Passed December 13, 1792. Original Acts, vol. 13, p. 121; recorded Acts, vol. 8, p. 43. Laws, 1797 ed., p. 252; id., 1805 ed., p. 177; id., 1815 ed., p. 214. The acts referred to are dated February 3, 1789, Laws of New Hampshire, vol. 5, pp. 380, 384. See the additional act of November 30, 1804, Laws, 1815 ed., p. 215. See also acts of January 22, 1790, February 16, 1791 and January 4, 1792, Laws, 1797 ed., pp. 239, 251, 252. Repealed July 2, 1822, Laws, 1824 ed., p. 171.]

Be it enacted by the Senate and House of Representatives in general Court convened—That if any Executrix or Administratrix here after appointed shall marry during the continuance of her trust,

such Marriage shall not make her husband an Executor or Administrator in her Right, but shall operate as an Extinguishment of such womans power— And the Judge to whom the probate of the will, or granting the Administration shall belong shall grant Administration, of the goods not administered, or with the will annexed, if circumstances require it, to the husband of such Executrix or Administratrix, or to such person as would be entitled to the same in case of her Death—

[CHAPTER 13.]

State of)
New Hampshire.)

AN ACT TO ENABLE JUDITH MELOON TO SETTLE THE ESTATE OF HER FORMER HUSBAND.

[Passed December 13, 1792. Original Acts, vol. 13, p. 122; recorded Acts, vol. 8, p. 72.]

Whereas Judith Meloon wife of Josiah Meloon of Raymond in the County of Rockingham and State aforesaid hath petitioned the General Court, representing that about twelve years ago she took administration of the estate of her former husband Moses Sanborn late of said Raymond deceased— And hath since married the said Josiah who refuses to intermeddle with the settlement of the said deceased's estate (& hath absconded)—the same remaining unsettled— & praying that she might be enabled to administer said estate as a feme sole: Which prayer appearing reasonable & necessary for the just settlement of said estate—

Therefore

Be it enacted by the Senate and House of Representatives in General Court convened That the said Judith Meloon be and hereby is fully authorized and empowered to compleat and finish the administration of the said deceased's estate as a feme sole and that she prosecute and defend, sue and be liable to suits in all respects as such her marriage with the said Josiah Meloon notwithstanding, she giving bond anew as a feme sole to the Judge of Probate of Wills &c for said County with sufficient sureties to account for the proceeds of said estate that she shall hereafter administer upon.—

[CHAPTER 14.]

State of)
New Hampshire.)

AN ACT ESTABLISHING PERMANENT SALARIES FOR THE JUSTICES OF
THE SUPERIOR COURT OF JUDICATURE

[Passed December 13, 1792. Original Acts, vol. 13, p. 123; recorded Acts, vol. 8, p. 74. Laws, 1797 ed., p. 76. See act of June 18, 1802, Laws, 1805 ed., p. 67.]

Be it enacted by the Senate and House of Representatives in General Court convened, that the Justices of the said Superior Court shall have and receive the following Salaries annually, viz—The Chief Justice of said Court the sum of One hundred and eighty pounds, and each other Justice, the sum of One hundred and forty pounds, which respective sums shall be paid out of the Treasury of this State in four equal quarterly payments, every year, during their continuance in said Office or trust—

And be it further enacted that the fees which said Justices may receive in the course of their Office shall be severally accounted for and deducted from their salaries.—

[CHAPTER 15.]

State of)
New Hampshire.)

AN ACT TO CARRY INTO EFFECT THE CONSTITUTION OF THIS STATE
AS ALTERED AND AMENDED BY THE LATE CONVENTION—

[Passed December 14, 1792. Original Acts, vol. 13, p. 124; recorded Acts, vol. 8, p. 76. Laws, 1797 ed., p. 50; id., 1805 ed., p. 41; id., 1815 ed., p. 44. See act of December 29, 1803, Laws, 1830 ed., p. 43, which repeals this act; see also the act of June 22, 1813, Laws, 1815 ed., p. 45, which repeals the act of 1803.]

Be it enacted by the Senate and House of Representatives in General Court convened, that the said Constitution, so far as it relates to the Choice of the Members of the Legislature and the Executive Officers of the State, County Treasurer & Recorder of Deeds; shall take effect on the first day of February in the Year of our Lord One thousand seven hundred and Ninety three; and that the whole of the said Constitution shall take Effect and be *in full force* on the first Wednesday of June in the same year—And that the State be divided into the following Districts numbered from one to twelve, each of which, shall have the right of choosing one Senator for said State Annually pursuant to the said Constitution—

District N^o 1.—to contain—Portsmouth New Castle, Rye, Green-

land, Newington, Stratham, North Hampton, Hampton, Hampton-falls and Seabrook—

District N^o 2. to contain— Exeter, Epping, Brintwood, Newmarket, Kensington, Poplin, Kingston, East-Kingston, New-Town & South-Hampton—

District N^o 3. to contain—Atkinson, Londonderry, Chester, Plastow, Salem, Windham, Sandown, Hawke, Hampstead & Pelham.—

District N^o 4. to contain—Nottingham, Northwood, Deerfield, Epsom, Chichester, Pittsfield, Allenstown, Pembroke, Canterbury Loudon, Northfield, Raymond & Candia.—

District N^o 5. to contain—Dover, Durham, Lee, Madbury, Barrington, Rochester Somersworth & New Durham.—

District N^o 6. to contain— Gilmantown, Barnstead, Conway, Eaton, Effingham, Meredith, Middleton, Moultonborough, New-Hampton, Sanborntown, Ossipee, Sandwich, Tamworth, Tuftonborough, Wolfesborough, New-Durham-Gore, Wakefield & Burton, —& Samuel Stark's Archibald Stark's & Hugh Starling's Locations.—

District N^o 7. to contain—Amherst, Holles, Dunstable, Nottingham-West, Litchfield, Merrimac, Bedford, New Boston, Duxbury, Raby, Dunbarton, Goffstown, Bow & Derryfield—

District N^o 8. to contain—Concord, Andover, Boscawen, Bradford, Campbells-Gore, Heniker, Hillsborough, Hopkinton, Keisarge, New London, Salisbury, Sutton, Warner & Weare—

District N^o 9. to contain—Antrim, Dearing, Francestown, Hancock, Lyndeborough, Mason, New Ipswich, Peterborough, Sharon, Temple, Wilton, Society Land, Greenfield, Rindge, Jaffrey and Dublin.—

District N^o 10. to contain—Keene, Swanzey, Winchester, Hinsdale, Richmond, Chesterfield, Marlborough, Sullivan, Packersfield, Fitz William, Westmoreland, Gilsom & Surrey.

District N^o 11. to contain—Charlestown, Plainfield, Grantham, Protectworth, Cornish, Croydon, Wendell, Claremont, New Port, Unity, Langdon, Acworth, Lemster, Goshen, Walpole, Alstead Fishersfield Marlow, Stoddard & Washington.

District N^o 12. to contain — the County of Grafton excepting Burton—

[CHAPTER 16.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AND IN AMENDMENT OF AN ACT INTITULED
 AN ACT EMPOWERING PHINEHAS PARKER TO REVIEW A CERTAIN
 ACTION

[Passed December 17, 1792. Original Acts, vol. 13, p. 125; recorded Acts, vol. 8, p. 80. The act referred to is dated June 19, 1792, recorded Acts, vol. 6, p. 538.]

Whereas in the preamble of the aforementioned act it is recited that "Samuel Stone of Claremont at the inferior Court of Common pleas holden at Keene within and for said county in December Anno Domini 1790 recovered judgment against said petitioner and one Lemuel Newell by default" when in fact judgment was rendered at the inferior Court of Common pleas holden at Charlestown within and for the County of Cheshire at December term Anno Domini 1790. In consequence of misrecital of the action the petitioner hath not been able to reap any benefit intended him by the said act—Therefore Be it enacted by the Senate and House of Representatives in General Court convened that the said Phinehas Parker be and hereby is empowered to commence his action of review at the next Court of Common pleas to be holden at Keene within and for said County on the third tuesday of March next and shall avail himself of all benefits intended him by said act—And the action shall be deemed and taken to be the same in which Judgment was rendered at December term Anno Domini 1790 at Charlestown in the County of Cheshire.—

[CHAPTER 17.]

State of }
New Hampshire. }

AN ACT TO EMPOWER A COMMITTEE TO SETTLE AND FIX THE BOUND-
 ARIES AND LINE BETWEEN THE PARISHES OF NORTH HAMPTON
 AND RYE—

[Passed December 17, 1792. Original Acts, vol. 13, p. 126; recorded Acts, vol. 12, p. 247.]

Whereas Moses Leavitt Esq^r in behalf of the Inhabitants of North Hampton hath petitioned the General Court representing that divers disputes have arisen between the Parishes of North Hampton and Rye concerning the boundary line between them and praying that a Committee might be appointed to run the line between said Parishes

and Establish the Same— on which Petition a day of hearing was appointed and the parties appearing they mutually agreed that James Hill Esq^r of New Market Jeremiah Batcheldor Esq^r of Kensington and Joshua Weeks Esq^r of Greenland should be appointed to ascertain and fix the line between said parishes and that said line by them established should be forever hereafter considered as the true line between them, and praying leave to bring in a Bill accordingly— which appearing Reasonable—Therefore—

Be it enacted by the Senate and House of Representatives in General Court convened that the said James Hill Jeremiah Batcheldor & Joshua Weeks be and they hereby are authorized and empowered to Establish and fix the line between the said Parish of North Hampton and the Parish of Rye and that the report of said Committee or any two of them being made and recorded in the Secretaries Office shall be final and conclusive between the said Parishes and that the line by said Committee so settled be forever hereafter deemed and considered as the true line between the said respective parishes and that the Select men of said Parishes for the time being respectively conduct and regulate themselves accordingly—

[CHAPTER 18.]

State of)
New Hampshire.)

AN ACT TO REPEAL AN ACT ENTITLED, AN ACT TO ERECT A POLL PARISH IN THE TOWN OF PELHAM—

[Passed December 17, 1792. Original Acts, vol. 13, p. 127; recorded Acts, vol. 12, p. 246. The act repealed is dated January 4, 1787, Laws of New Hampshire, vol. 5, p. 209.]

Whereas James Gibson Esq^r for himself and in behalf of the Inhabitants of the said Poll-Parish hath preferred a Petition to the General Court— setting forth— that the uneasiness formerly subsisting in said Town of Pelham (and which said Poll-Parish was formed to Remedy) hath subsided and praying that the Act forming said Poll-Parish may be Repealed— which appearing Reasonable

Therefore be it Enacted by the senate and House of Representatives in General Court convened that the before Recited Act erecting a Poll-Parish in said Town of Pelham be and hereby is in all & every Part thereof Repealed

[CHAPTER 19.]

State of }
New Hampshire. }

AN ACT TO ESTABLISH POST-GUIDES AND TO FACILITATE TRAVELLING
 IN & THROUGH THIS STATE—

[Passed December 17, 1792. Original Acts, vol. 13, p. 128; recorded Acts, vol. 12, p. 357. Laws, 1797 ed., p. 329; id., 1805 ed., p. 335; id., 1815 ed., p. 393; id., 1830 ed., p. 584. See act about highways, February 27, 1786, Laws of New Hampshire, vol. 5, p. 121.]

Be it enacted by the Senate & House of Representatives in General Court convened— That for the accomodation of the Citizens of this State as well as for other Persons who may have occasion to Travel in and through the same, there shall be erected at the Intersection of all public Roads and Highways within each Town Parish and Precinct throughout this State a Monument or Post-Guide at least ten Feet high which shall consist of materials of such Angular form as shall correspond with the Angle made by the Intersection of the Roads as aforesaid: And on each Post-Guide to be erected as aforesaid, or on the Appendages thereof shall be engraved or painted in legible Characters, the name of the next adjoining Town & Towns, to which such Roads respectively lead as also the names of such other Towns as may be thought proper, with the estimated number of miles to all such Towns respectively in figures—And a Hand & Finger shall be painted on the left of such Letters as direct to a Right-Hand-Road, and on the right of such letters, as direct to a Left Hand Road— and the number of miles so to be engraved or painted shall be understood to be the distance to the most public Place of Resort within the Town against which such Figures shall be made.—

And be it further Enacted that the Selectmen of the respective Towns and Places to which they respectively belong, shall superintend the erecting & keeping in repair all such Post Guides at the expence of the Towns respectively— Provided that the Inhabitants of the Towns, Parishes & Precincts, respectively duly qualified to vote in Town affairs, may if they choose, on or before the first day of June next, and annually afterwards, determine of what materials the said Post Guides shall consist, and appoint suitable Persons to superintend the erecting and repairing the Same—

And be it further Enacted that if the Selectmen, or other persons who may be appointed to superintend the erecting & repairing of Post-Guides as aforesaid, shall neglect their duty as herein prescribed for the space of twelve months from and after the first day of June next or for the space of any four months after the expira-

tion of said Twelve months, they shall for every such neglect, pay a fine of twenty shilling—

And be it further enacted that if any person shall throw down, demolish or deface any such Post Guide, Appendages, Letters or Figures thereon Engraved or Painted or be aiding & assisting in such offence he shall pay a fine of thirty shillings.—And all fines which may be forfeited in consequence of this Act may be sued for and recovered by Action Bill, Plaint or Information in any Court proper to try the same—And all such Fines shall be appropriated, the one half to the use of the prosecutor or Informer and the other half to the use of the Town where the offence may be committed—

[CHAPTER 20.]

State of }
New Hampshire. }

AN ACT ESTABLISHING WHERE CERTAIN INHABITANTS OF THE TOWNS OF HAMPTON FALLS AND SEABROOK SHALL WORK OUT THEIR HIGHWAY TAXES

[Passed December 17, 1792. Original Acts, vol. 13, p. 129; recorded Acts, vol. 12, p. 255.]

Whereas a Petition hath been preferred to the General Court in behalf of the Town of Hampton falls setting forth that the Town of Seabrook was disannexed from the Town of Hampton falls and a line drawn between the two Towns—And at the time of making said separation the Inhabitants of each Town or Parish respectively were allowed to poll off with their estates to the other Town or Parish— in consequence whereof many Inhabitants of each Town respectively polled off with their estates to the other Town—

Which hath been found productive of many inconveniencies—And praying that the Inhabitants within the lines of each Town may be compelled to work out their highway taxes in such respective Town within which lines they respectively live or Inhabit—Which prayer appearing reasonable and for the public good—Therefore—

Be it enacted by the Senate and House of Representatives in General Court convened, that all the Inhabitants within the lines of the aforesaid Towns respectively— and all the estates lying and being within said lines, shall be chargeable and rated for the support and maintenance of the highways within the particular and respective Town, within which lines they severally and respectively be and lye, and not elsewhere—any law usage or custom to the Contrary notwithstanding—

[CHAPTER 21.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT FOR THE PUNISHMENT OF CERTAIN CRIMES NOT CAPITAL"—

[Passed December 18, 1792. Original Acts, vol. 13, p. 130; recorded Acts, vol. 8, p. 82. Laws, 1797 ed., p. 281; id., 1805 ed., p. 277; id., 1815 ed., p. 332. The act referred to is dated February 16, 1791, Laws of New Hampshire, vol. 5, p. 718.]

Whereas Larcenies are frequent, and the guilty escape with little Punishment, without making Recompence; notwithstanding the Laws now in force—Therefore—

Be it enacted by the Senate and House of Representatives in General Court convened, that whensoever any person, by due course of Law, shall be hereafter convicted of stealing any Horse or Horses, Mule or Mules, neat-cattle or Sheep, every such person shall be marked with a Line of India-Ink well and deeply inserted, above the Eye-brows, from the Hair of the Temples on the one side to the Hair of the Temples on the other side of the Forehead, and by a Line in the same manner inserted from the center of the line aforesaid to the end of the Nose on the most prominent part thereof—on the first conviction—and for stealing any other personal property, shall be marked in like manner on the second conviction—and every such person shall remain in custody, not exceeding thirty days, till the said marks are well and effectually fixed, and shall be liable to be marked again in case by any means he shall rub out or efface the same—And the Sheriff of each County shall make, or cause to be made, the marks aforesaid as soon as conveniently may be after conviction, and shall receive therefor out of the County Treasury where the conviction shall be, the sum of six shillings for marking each Convict as aforesaid—And any person's having been before convicted of Theft in any part of the United States of America shall be deemed a first conviction within the intent of this Act—

And any person to whom one convicted of stealing is put to service *to make satisfaction*; may in any manner, without cruelty, chain, or otherwise shackle or confine in the public Goals or elsewhere, such Convict in service, in such manner as may be necessary for his performing from day-to-day the Task or Labour enjoined on him.—

Nevertheless, if the Cost and Treble Damages be paid it shall be in the power of the Court before whom the conviction shall be, to remit the punishment in this Additional Act provided—but the person so convicted shall be liable to the same punishment on the next conviction, which shall not be remitted.—

And be it further enacted that where any person shall have been convicted and marked as aforesaid, in all, or any subsequent con-

viction, he shall receive the additional punishment of whipping not exceeding one hundred stripes, and be set on the Gallows with a rope about his neck not exceeding two Hours—But no Judgment before a Justice of the peace on a charge of Theft, shall be deemed a conviction within the meaning of this Act—nor shall any thing herein repeal any former Act—

And be it further enacted that if any person convicted of stealing in any case, shall be unable to pay the Cost and charges of bringing him to Conviction, or shall escape, the same being unpaid, said costs and charges shall be paid out of the County Treasury where such conviction shall be, at such reasonable rate as the Court of General Sessions of the peace shall order—

[CHAPTER 22.]

State of)
New Hampshire.)

AN ACT SECURING TO WILLIAM PAGE AND LEWIS R MORRIS AND THEIR ASSOCIATES, THEIR HEIRS AND ASSGNS FOREVER THE EXCLUSIVE RIGHT OF LOCKING BELLOWs's FALLS ON CONNECTICUT RIVER

[Passed December 18, 1792. Original Acts, vol. 13, p. 131; recorded Acts, vol. 8, p. 92. Referred to in act of June 20, 1798, recorded Acts, vol. 11, p. 83.]

Whereas William Page of Charlestown in the County of Cheshire and state of New Hampshire, and Lewis R Morris of Springfield in the County of Windsor and State of Vermont, have Petitioned this state setting forth that they have it in contemplation to open the Navigation of Connecticut river by Bellows's falls by means of a Canal and Locks to effect which purpose it will be necessary to conduct the waters from Connecticut river in New Hampshire into Canals which are to lead said waters through a small tract of Land in the state of Vermont and conduct the same again into the river in New Hampshire, and the said State of Vermont having by an act of Legislation permitted said canals and Locks to be erected in their State under certain restrictions, and it appearing reasonable that said Petitioners should have from this State the priviledge of conducting the Waters of said Connecticut river through the banks thereof into said Locks & canal and again into said river in New Hampshire Therefore

Be it Enacted by the Senate and House of Representatives in General Court convened

That William Page & Lewis R Morris their Associates their respective heirs and assigns shall be known taken and acknowledged in this state as a body Politic by the name and stile of the company

for rendering Connecticut river Navigable by Bellows's falls, and by that name shall be and are hereby Made able and Capable in Law, to have, purchase and receive, possess enjoy & retain, to them their Associates and their respective Heirs and assigns Lands, Rents Tennements, Hereditaments, goods Chattels and effects of what kind or quality soever, provided the same shall not exceed the Sum of Three Thousand Pounds, and the same to sell grant, demise aliene and dispose of—to sue and be sued, plead and be impleaded answer and be answered, defend and be defended in Courts of record, or any other Courts Whatsoever, and also to make have and use one Common Seal the same to brake alter and renew at their pleasure—and also to ordain, establish and put in execution such bye Laws ordanances and regulations as shall seem necessary and convenient for the government of said company not being contrary to Law and generally to do and transact all and singular Acts Matters and things which to them it shall and may appertain to do in order to carry into effect this Act—

And be it further Enacted that if it shall be found necessary in order to complete the said Locks and Canals as aforesaid to erect a Dam on connecticut river, that the said Company are hereby Authorized and impowered to build the same or any other works and also to enter upon and break the banks of said river in this State and make use of and Occupy any Land that may be necessary for that purpose— provided that the erecting such Dam as aforesaid shall not hender the free passage of the Fish in said river— and Should such dam or other works flow or otherwise injure the Lands or any other property of any Person or Persons such Person or Persons so injured, shall upon Application to the Court of Common pleas of the County of Cheshire be entitled to receivè from the said Company such compensation as the said Court shall adjudge just and equitable for the injury such person has sustained or probably may in future sustain by flowing Said Land or in any other way whatsoever and a record being made thereof by the clerk of said court shall be a complete Barr to any future application for any compensation for any injury done the same property whether real or personal and any legal process for damage sustained by the dam aforesaid or any other injury, Shall be commenced in the mode prescribed by this act and in no other— and it shall be the duty of the court aforesaid to award Execution against said Company for any sum or sums which may be Assessed by said Court for any damages or injury sustained by any Person or Persons— provided the same and any cost that may have arisen thereon shall not be paid by said company to the Clerk as aforesaid within thirty days from the time of such assessment any law usage or Custom to the contrary notwithstanding

And it shall be the duty of the said Clerk of said Court to pay over on request all sums of money by him received from the Said

company as aforesaid to the person to Whom they respectively belong taking proper receipts therefor which receipts the said Clerk shall safely Keep with the files of his office and Minute the same in the record of the proceedings in each respective case

And be it further enacted—That no person or persons shall be privileged by this State, to cut any canal build any Lock or dam on or by Bellows's falls within this State except the company aforesaid their Heirs and assigns—but the exclusive right is given to said Company their Heirs and assigns forever,—provided they shall within three years from the first day of November Next have made and are making all reasonable exertions in procuring Materials, Labour and other Necessaries to forward the erection of said Locks and shall have fully erected and Completed the same fit for use within ten years from the said first day of November, and shall forever Keep said works in repair—That the toll for conveying loaded boats through said Locks & Canals shall never exceed fifteen pence per ton and half said sum for all empty boats according to the tons said boats will carry and the sum of seven pence two farthings for every thousand feet of Boards and timber

And be it further Enacted That if any person or persons shall set fire pull down destroy or damnify any Canal, Lock, Bridge dam or other thing erected by said company for the purpose aforesaid, such offender shall be liable to pay treble damages to the said Company and a fine not exceeding five Hundred pounds one half Whereof shall belong to the state and the other half to him who shall prosecute the Same to conviction

And be it further Enacted that in all controversies in consequence of this act the same shall be given in evidence on the general Issue—

[CHAPTER 23.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS HEREIN AFTER NAMED,
INTO A SOCIETY BY THE NAME OF "THE SOCIAL LIBRARY COMPANY
IN DOVER"—

[Passed December 18, 1792. Original Acts, vol. 13, p. 132; recorded Acts, vol. 12, p. 250.]

Whereas a general diffusion of useful knowledge in a land of Liberty, has a happy tendency to preserve Freedom, and make better men & better citizens.

Be it therefore Enacted by the Senate and House of Representatives in general court convened. That, the Reverend William Hooper, Ichabod Rollins Esq^r Daniel Hayes, Jonathan Hamilton, the Rev^d Joseph Haven Ebenezer Demerit, Ebenezer Tibbets, Timo-

thy Emerson Jonathan Rawson, Eleazer Davis, John Plummer Jun^r Shadrach Hodgdon, the Rev^d Robert Gray, Asa Tufts, Daniel Waldron, Caleb Hodgdon, John Kielle, Nath^l Cooper Daniel Hanson, Benjamin Pierce, John Wentworth, Ezra Green, Charles Clapham, James Calef, Stephen Evans, Otis Baker, Theophilus Dame & Joseph Allen, be, & they hereby are formed into, constituted & made, a body politic and corporate by the name of "The Social library Company in Dover"—and that they, their Successors & such other persons as may be elected in the manner herein after mentioned, shall be & continue a body politic & corporate by the same name forever—

And be it further Enacted, That the members of said Society may from time to time, elect a Director thereof, a Secretary, Librarian Treasurer, and such other Officers as they may deem necessary & expedient, and to determine the respective numbers, and the duties of their several Officers

And be it further Enacted, That the members of said Society shall have full power and Authority to make and enact such rules & bye laws for the government thereof as may by them be found necessary; provided the same be not repugnant to the Constitution & laws of this State and to annex reasonable fines & penalties to the breach of them, not exceeding the value of the delinquents share in said library; to be recovered by said Society in an Action of Debt, to their use in any Court within this State proper to try the same.

And be it further Enacted: That the said Society shall forever have the power, to establish the line & mode of convening themselves, together, and the number necessary to constitute such meeting, as also the place which to them may appear most convenient

And be it further Enacted; that the members of said Society may from time to time, admit such persons to become members thereof as they may judge proper; and shall have power to suspend expel or disfranchise any member thereof.

And be it further Enacted, that the members of said Society shall forever be deemed capable in Law of taking & holding, any donations that may be made them, whether the same be in money books or other personal estate

And be it further Enacted that the members of said Society, may sue & be sued in all Actions personal & prosecute & defend the same to final judgment & execution by the name of the Social Library Company in Dover.—

[CHAPTER 24.]

State of }
New Hampshire. }

AN ACT TO VEST IN JOHN WEEKS HIS HEIRS & ASSIGNS, FOREVER,
 THE SOLE AND EXCLUSIVE PRIVILEGE OF KEEPING A FERRY OVER A
 CERTAIN PART OF CONNECTICUT RIVER—

[Passed December 19, 1792. Original Acts, vol. 13, p. 133; recorded Acts,
 vol. 8, p. 85.]

Whereas it hath been made to appear to this Court that it will be
 for the good of the public, to have opened and kept a Ferry at a
 place call'd the Cat-bow in Lancaster in said State—Therefore—

Be it Enacted by the Senate and House of Representatives in
 General Court convened, that the sole & exclusive privilege of keep-
 ing a Ferry at said Lancaster, begining at the Southerly line of said
 Town and extending up said River to the mouth of Israels River,
 shall vest in John Weeks his Heirs & assigns forever—he and they
 from time to time as ocasion may require Giving Bond in the sum
 of one hundred pounds to the Clerk of the Court of General Ses-
 sions of the peace in and for the County of Grafton in the State
 aforesaid, that the said Ferry shall be well attended and constantly
 kept—the first of which Bonds shall be Given within one year from
 the passing this Act, and the said Court shall from time to time
 State the fees—

And be it further Enacted, that if any other person or persons
 shall for hire or reward, transport over said River within the limits
 aforesaid, any person creature or thing, the person so offending shall
 forfeit and pay to the said Weeks his Heirs or assigns, the sum of
 forty Shillings for each offence to be sued for and recovered in any
 Court proper to try the same, and a Copy of this Act shall be re-
 ceived in Evidence.

[CHAPTER 25.]

State of }
New Hampshire. }

AN ACT EMPOWERING SAMUEL HOLLAND ESQUIRE TO HOLD LANDS—

[Passed December 20, 1792. Original Acts, vol. 13, p. 134; recorded Acts,
 vol. 8, p. 87.]

Whereas Samuel Holland of Quebec in the Province of Lower
 Canada Surveyor General of said Province hath petitioned the Gen-
 eral Court praying for Liberty of holding Lands received in Pay-
 ment of Debts, or Lands on which Executions may be by Him
 levied—

Therefore be it enacted by the Senate & House of Representatives in General Court convened, That the said Samuel Holland his Heirs Executors and Administrators be and They hereby are empowered to hold any Lands for the Term of five Years which may be by Him or Them received in payment of Debts, or in Satisfaction of any Execution in his or their favor, for the express purpose of conveying the same to any Citizen or Citizens of the United States—

And the said Samuel Holland his Heirs Executors and Administrators are empowered to convey any Lands which may be received by Him or Them as aforesaid to any Citizen or Citizens of the United States their Heirs & Assigns forever in fee simple, as fully and effectually as any Citizen of this State is by Law authorized to do—

[CHAPTER 26.]

State of }
New Hampshire. }

AN ACT TO CONFIRM IN SAMUEL LEAVITT HIS HEIRS AND ASSIGNS
CERTAIN LANDS—

[Passed December 21, 1792. Original Acts, vol. 13, p. 135; recorded Acts, vol. 8, p. 89.]

Whereas Samuel Leavitt of Stratham has Petitioned the General Court Representing, That John Thurston of said Stratham on the ninth day of July Anno Domini one Thousand Seven hundred and eighty four sold and conveyed to him by his the said Thurstons Deed a certain tract of Land lying in said Stratham containing twenty five acres, and three quarters, bounded as follows viz^t beginning at the Northerly corner of Land the said John sold to Thomas Veazey the third, thence runing Northerly as the fence runs by Land in possession of Josiah Thurston to Land improved by the Heirs of Stephen Thurston deceased, thence South-westerly by said improvements, and by Jonathan Leavitts land forty one rods and a half to the fence by the said Johns wood-land, thence Southerly by the fence of said wood-land thirty four rods to Samuel Leavitts land, thence Southeasterly by said Leavitts Land, forty six rods, thence Northeasterly thirty four rods, thence Southwesterly twelve Rods and seven feet to the westerly corner of land sold by the said John to the said Veazey, thence runing Northeast by the same to the corner first mentioned— That on the third day of the same July Jonathan Leavitt of said Stratham sold and conveyed by his Deed of that date to the said John Thurston his Heirs and assigns ten acres of Land in Said Stratham bounded as follows viz^t lying at the westerly part of the said Johns Land which was given him by his

Father deceased, which was his homestead, and begining at the Northwesterly corner of said homestead joining to Land of the Heirs of Stephen Thurston Deceased, thence runing Southerly by land of said heirs, and land of Jonathan Leavitt forty rods, thence runing Easterly in a line parallel with the line between the land of Josiah Thurston and land of the said John forty rods, thence runing North-erly until it Strikes the said Josiah Thurstons land, in such a direc-tion as to contain ten acres after runing westerly by said Josiah Thurstons land to the bounds first mentioned— That the aforesaid ten acres of land was part of, and included in the boundaries of the aforesaid twenty five acres and three quarters—That the Deed of the said ten acres of land from the said Jonathan Leavitt to the said John Thurston is lost, by means of which the Petitioner has no apparent Title to the said ten Acres of land, and is liable to be ejected by the said Jonathan —and praying that the Title to the aforesaid ten Acres of land may be confirmed and established to him his heirs and assigns forever, as effectually as though said Deed had not been lost—on which Petition a public hearing was assigned . and due notice thereof Given. & a full hearing thereon had, and the prayer of s^d Petitioner appearing reasonable— Therefore—

Be it Enacted by the Senate and House of Representatives in General Court convened—That the title of the said ten acres of Land, be and hereby is established and confirmed in the said Samuel Leavitt his Heirs and assigns as fully to all intents and purposes as though the said Deed of the said ten acres of Land had not been lost.

[CHAPTER 27.]

State of)
New Hampshire. {

AN ACT TO ENCOURAGE THE MANUFACTURE OF MALT LIQUORS—

[Passed December 22, 1792. Original Acts, vol. 13, p. 136; recorded Acts, vol. 8, p. 98. Laws, 1797 ed., p. 400.]

Whereas the Manufacture of Malt Liquors in this State will tend to promote agriculture, diminish the Use of Ardent Spirits, and pre-serve the Morals and Health of the People— Therefore

Be it enacted by the Senate and House of Representatives in Gen-eral Court convened That if any person or persons shall hereafter within this State erect, or if already erected shall continue any buildings or other works for the Manufacture of Malt and Malt Liquors, or if any person or persons shall hereafter erect, or having already erected, shall continue any Buildings or other works for brewing Malt Liquors and shall actually use and occupy them for the aforesaid purposes, all such buildings and works, together with the Stock used therein and the Yards adjacent to and occupied

for the aforesaid purposes, shall be exempted from all taxes of every kind and nature that may be assessed under the authority of this State—And the Owner or Owners of such works and buildings, while said works or buildings are used for the purposes aforesaid shall be exempted from all Poll taxes—And shall also have an abatement annually in her her or their taxes, for as many poll taxes as he she or they shall in the opinion of the Selectmen of the Town where such works are or shall be erected usually employ of Apprentices or workmen in said Manufacturies liable to pay Poll taxes—

Provided that this Act shall continue and be in force for the term of ten Years from the passing thereof & no longer

[CHAPTER 28.]

State of)
New Hampshire.)

AN ACT FOR THE REPEAL OF A CERTAIN CLAUSE OF THE ACT FOR PREVENTING THE SPREADING THE SMALL POX MADE AND PASSED THE THIRD DAY OF FEBRUARY ANNO DOMINI 1789. AND IN ADDITION TO, AND AMENDMENT OF THE SAID ACT—

[Passed December 25, 1792. Original Acts, vol. 13, p. 137; recorded Acts, vol. 8, p. 99. Laws, 1797 ed., p. 304; id., 1805 ed., p. 318; id., 1815 ed., p. 376; id., 1830 ed., p. 180. For the act referred to see Laws of New Hampshire, vol. 5, p. 378.]

Whereas the last Clause of the aforementioned Act hath been found not to answer the good purposes thereby intended— Therefore—

Be it enacted by the Senate and House of Representatives in General Court convened, That the said last clause be and the same is hereby repeal'd

And be it further enacted that whenever any Ship or other Vessel shall arrive in any Port in this State having any person on board infected with the Plague— Small-Pox— Pestilential or Malignant Fever, or shall have been so infected during the voyage, or having on board any Goods which may reasonably be apprehended to have any infection of such diseases, it shall be the duty of the Master or Commander of such Ship or Vessel to give immediate information thereof to the Selectmen of Portsmouth— and it shall be the duty of the Selectmen of Portsmouth upon information of the Arrival of such Ship or Vessel, and they are hereby impowered immediately to take such prudential methods and precautions as to them appear necessary to prevent the spreading such infection—and may order and appoint the distance at which such Ship or Vessel shall lie from the Shore, and shall have Power to remove the same at the expence of the owner or Master, if the Master or Commander shall refuse

or neglect to remove after receiving from said Selectmen an Order therefor—And the said Select-Men are hereby further impowered to forbid or prevent any person coming on Shore from such Ship or Vessel, or any Goods being landed from the same until such precautions be taken as the public safety may to them Appear to require—And if the Commanding Officer of any such Ship or Vessel shall suffer any Person or Thing to be put on Shore without permission first obtained therefor under the hands of the said Select men or a major part of them, he shall forfeit & pay the sum of four hundred Dollars to be recovered and appropriated as in the aforementioned Act is provided for the recovery & appropriation of forfeitures—

And be it further enacted that if Any person come on shore from any such Ship or Vessel without such liberty— any Justice of the Peace may cause such person to be confined in such proper place as the Selectmen aforesaid may appoint for a term of time not exceeding thirty days at his own expence to be recovered by them by Action of Debt in Any Court proper to try the same—

And be it further enacted that the said Selectmen shall have full power to seize and keep any Goods landed from Such Vessel without such leave, until they shall cause the same to be cleansed at the expence of the owner of such Goods— And if the owner neglect to pay such expence, the Select men shall have power to sell so much of the Goods as will defray the reasonable charges of seizing keeping & cleansing the same—

And be it further enacted, that it shall be part of the condition of the Physician's Bond taken in pursuance of the Act aforesaid,— That he will use every precaution to prevent the spreading the small Pox, and will not suffer any person to depart from the Hospital until he be effectually cleansed—And will then give such person a certificate thereof under his hand—

And be it further enacted that if any person after having had the small Pox, in any licensed Hospital, shall leave the same without such certificate or be taken or found without the same within one month afterwards, he shall forfeit and pay the sum of fifty dollars, to be sued for and appropriated in manner aforementioned—

Provided always that whenever any person shall break out with the Small Pox in the natural way in any town within this State, and in the opinion of the Selectmen he may without danger remain without communicating the disorder to any but his own family— And if the family or any other person has been exposed to the danger of taking said disorder the Select Men may grant license for any such person to be enoculated who with the Physician shall not in such case be liable to the penalties of this And the aforementioned Act—

[CHAPTER 29.]

State of }
New Hampshire. }

AN ACT TO ALTER THE PLACE OF HOLDING PART OF THE COURTS IN
THE COUNTY OF HILLSBOROUGH.

[Passed December 25, 1792. Original Acts, vol. 13, p. 138; recorded Acts, vol. 8, p. 104, Laws, 1797 ed., p. 62. This act repeals the act of February 9, 1791 as far as it relates to holding courts at Amherst, Laws of New Hampshire, vol. 5, p. 635. See act of December 15, 1796, Laws, 1797 ed., p. 468.]

Be it Enacted by the Senate and House of Representatives in General Court convened, that the Superior Court of Judicature which by Law is to be holden at Amherst in the County of Hillsborough in said State on the second Tuesday of May, shall forever hereafter be holden at Hopkinton in said County on the second Tuesday of May Annually—

And the Courts of Common pleas which by law are to be holden at said Amherst on the first Tuesday of September and on the second Tuesday of December, shall forever hereafter be holden at said Hopkinton on said days Annually.

And the Courts of General Sessions of the peace which by law are to be holden at said Amherst on the Thursday next following the first tuesday of September shall forever hereafter be holden at said Hopkinton on the Thursdays next following the first Tuesday of September Annually—

And Be it further Enacted, That the Act entitled “An Act for establishing Courts of Law for the Administration of Justice within this State, and designating their powers and regulating their proceedings in certain cases,” so far as the said Act relates to holding such of the aforesaid Courts at Amherst which by this Act are directed in future to be holden at said Hopkinton, Be and hereby is repealed—

And be it further Enacted, That all writs, venires, recognizances, appeals, Actions, Indictments warrants and process of every kind which by law were returnable to said Courts at Amherst,—which by this Act are to be holden at said Hopkinton, Shall be returned to and Sustained by said Courts at said Hopkinton—

And Be it further Enacted, that the several Courts aforesaid which are to be holden at said Hopkinton, shall be holden in or as near the Meeting-house in said Town as conveniently may be—

And be it further Enacted, that this Act, at the expiration of two Years from the passing thereof, shall be null and void, unless a Suitable House for holding said Courts be erected at said Hopkinton within that time, without being a County charge.

[CHAPTER 30.]

State of)
New Hampshire.)

AN ACT TO IMPOWER NATHANIEL GILMAN ESQUIRE TO SELL CERTAIN REAL ESTATE OF CHARLOTTE ODLIN A MINOR AND TO IMPOWER THOMAS STICKNEY TO SELL CERTAIN REAL ESTATE BELONGING TO MARY ANN HIS WIFE WHO IS UNDER TWENTY-ONE YEARS OF AGE.—

[Passed December 25, 1792. Original Acts, vol. 13, p. 139; recorded Acts, vol. 8, p. 118.]

Be it Enacted by the Senate and House of Representatives in General Court Convened That Nathaniel Gilman be & hereby is Authorized and empowered to Make Sale of all the undivided Right or Share which Charlotte Odlin has in that part of the Estate of the Honorable Peter Gilman Esquire late of Exeter Deceased which descended to the said Charlotte's Mother Abigail Odlin late of said Exeter widow Deceased Also all the Real Estate (Now Remaining unsold) which descended to the said Charlotte from Her late Honored Father Woodbridge Odlin late of said Exeter, Clark, Deceased in Such Manner as the said Nathaniel shall deem Most for the benefit of the said Charlotte, And to Make and execute good and Valid Deed or Deeds to the purchaser or purchasers— And that the said Thomas Stickney Be and hereby is Authorized and empowered to Make Sale of all the Undivided Right or Share which the said Mary Ann has in that part of the Estate of the Honorable Peter Gilman Esquire late of said Exeter Deceased which descended to the said Mary Ann's Mother Abigail Odlin late of said Exeter Widow Deceased Also all the Real Estate (now Remaining unsold) which descended to the said Mary Ann from her late Honored Father Woodbridge Odlin late of said Exeter Clark Deceased, in such manner as the said Thomas shall think proper and to Make and execute good and Valid Deed or Deeds to the purchaser or purchasers provided that their shall not be any sale of any part of said Charlotte's Estate untill the said Nathaniel Gilman shall give Bond with sufficient Sureties, in an adequate sum, to the Judge of the Probate of Wills for the County of Rockingham to Account for the Monies, Raised by the Sale of the said Charlotte's Estate, and the Interest thereon with the said Charlotte on Her arrival at full Age or otherwise with Her Heirs at Law And that the said Thomas Stickney shall not proceed to sell untill he shall give Bond to the Judge as aforesaid to Account with & pay over to such heir or heirs at Law of the said Mary Ann as would by Law be intitled to said Real Estate if the Same had not been alienated for the proceeds of the Sale of said Real Estate, with the Interest, arising on said sum—

unless the said Mary Ann Shall after she arrives at the Age of Twenty-One Years join with the said Thomas in the appropriation of said Money, And under her hand and Seal Request the said Judge to cancel said Bond.

[CHAPTER 31.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AND IN EXPLANATION OF AN ACT PASSED JANUARY TWENTY FOURTH ONE THOUSAND SEVEN HUNDRED AND NINETY ONE—

[Passed December 26, 1792. Original Acts, vol. 13, p. 140; recorded Acts, vol. 8, p. 106. For the act referred to, see Laws of New Hampshire, vol. 5, p. 549.]

Whereas the General Court of said State, on the twenty fourth day of January one Thousand seven Hundred and Ninety one passed an Act empowering the Select men of Wolfborough to assess and collect a Tax of one penny $\frac{1}{2}$ acre annually, for the term of two Years, upon all the lands in said Town to be appropriated for the purpose of repairing the Highways in said Town—and whereas the Second Years Tax was advertized by the Selectmen, which by said Act ought to have been advertized by a Collector by them appointed; by means whereof the said Tax has not been collected and appropriated as in and by said Act was intended— and doubts having arisen whither, on account of said mistake, in the advertizing, the said Tax can now be collected, and appropriated according to the true intent and meaning of said Act— Therefore, and to remedy any Doubts which hath or hereafter may arise in the premises, and to enable the Selectmen of said Town, for the time being, to cause the Taxes mentioned in said Act, to be collected and laid out according to the true intent and meaning of said Act, the mistake aforesaid notwithstanding—

Be it Enacted by the Senate and House of Representatives in General Court convened— That the Selectmen of said Town be, and they, together with their Collector, hereby are fully authorized and empowered, to cause to be collected and appropriated the said second Years Tax within eighteen months from the passing this Act, any thing in the aforesaid Act to the contrary notwithstanding—

And be it further Enacted, that the method in assessing, collecting, and appropriating the said Tax, shall be pursued as pointed out in and by said Act.—

[CHAPTER 32.]

State of }
New Hampshire. }

AN ACT FOR ARRANGING THE MILITIA INTO DIVISIONS.—

[Passed December 27, 1792. Original Acts, vol. 13, p. 141; recorded Acts, vol. 8, p. 109. Laws, 1797 ed., p. 411; id., 1805 ed., p. 244. See additional acts of June 19, 1793, Laws, 1797 ed., p. 426; December 15, 1796, id., p. 415; June 18, 1798, id., 1805 ed., p. 247; December 26, 1799, id., 248; June 13, 1800, id., 249. See act of December 22, 1808; id., 1815 ed., p. 287.]

Be it enacted by the Senate & House of Representatives in General Court convened That the Militia of this State be arranged into divisions Brigades & Regiments, & numbered—& that each Division Brigade & Regiment shall take rank according to their number reckoning the first or lowest number highest in rank & that each Regiment shall be divided into two Battalions.—

And be it further enacted, That the companies in the Towns of Portsmouth, Newington & New-Castle, shall form a first Battalion, and the companies in the towns of Rye, Greenland & Stratham shall form a second Battalion, which shall constitute the first Regiment.—

And the companies in the towns of Dover & Somersworth shall form a first Battalion, & the companies in the town of Rochester shall form a second Battalion, which shall constitute the second Regiment—

And the companies in the towns of North-Hampton, Hampton & Hampton-Falls, shall form a first Battalion, & the companies in the towns of Seabrook, Kensington & South Hampton shall form a second Battalion, which shall constitute the third Regiment.—

And the companies in the towns of Exeter & New-Market shall form a first Battalion, & the companies in the towns of Brintwood, Poplin & Epping shall form a second Battalion which shall constitute the fourth Regiment.—

And the companies in the towns of Amherst, Merrimac, Litchfield & Duxbury shall form a first Battalion, & the companies in the towns of Dunstable, Hollis, Nottingham-West & Raby shall form a second Battalion, which shall constitute the fifth Regiment.—

And the companies in the towns of Winchester, Richmond & Swanzey shall form a first Battalion, the companies in the towns of Chesterfield & Hinsdale shall form a second Battalion which shall constitute the sixth Regiment.—

And the companies in the towns of Kingstown, East-Kingstown, Hawke & New-Town shall form a first Battalion, the companies in the towns of Atkinson, Plastow, Hampstead & Sandown shall form a second Battalion, which shall constitute the seventh Regiment.—

And the companies in the town of Londonderry shall form a first

Battalion, the companies in the towns of Salem, Pelham & Windham shall form a second Battalion, which shall constitute the eighth Regiment.—

And the companies in the towns of Derryfield, Goffstown, Dunbarton & Bedford shall form a first Battalion, the companies in the towns of New-Boston & Weare shall form a second Battalion which shall constitute the ninth Regiment.—

And the companies in the towns of Gilmantown & Barnstead shall form a first Battalion the companies in the towns of Sanborntown, Merridith & New-Hampton shall form a second Battalion, which shall constitute the tenth Regiment.—

And the companies in the towns of Concord, Pembroke & Bow shall form a first Battalion, the companies in the towns of Loudon, Canterbury & Northfield shall form a second Battalion which shall constitute the eleventh Regiment.—

And the companies in the towns of Rindge, Jaffrey and Dublin shall form a first Battalion, the companies in the towns of Fitzwilliam, Marlborough & Packersfield shall form a second Battalion, which shall constitute the twelfth Regiment.—

And the companies in the towns of Piermont, Wentworth, Warren & Coventry shall form a first Battalion, the companies in the towns of Haverhill, Bath & Landaff shall form a second Battalion which shall constitute the thirteenth Regiment.—

And the companies in the towns of Plymouth, Holderness, Rumney, Campton & Thornton shall form a first Battalion the companies in the towns of New-Chester, Alexandria, Bridgewater, Cocker-mouth & Hebron shall form a second Battalion which shall constitute the fourteenth Regiment.

And the companies in the towns of Cornish, Plainfield, New-Grantham, & Protectworth shall form a first Battalion, the companies in the towns of Claremont, New-Port, Croydon & Wendell shall form a second Battalion, which shall constitute the fifteenth Regiment.—

And the companies in the towns of Charlestown, Langden Unity & Actworth shall form a first Battalion, the companies in the towns of Alstead, Marlow, Washington, Stoddard, Lempster & Goshen, shall form a second Battalion, which shall constitute the sixteenth Regiment.—

And the companies in the town of Chester shall form a first Battalion, the companies in the towns of Candia, Raymond & Allens-town shall form a second Battalion, which shall constitute the seventeenth Regiment.—

And the companies in the towns of Nottingham & Deerfield shall form a first Battalion, the companies in the towns of Epsom, Northwood, Pittsfield and Chichester shall form a second Battalion, which shall constitute the eighteenth Regiment.—

The companies in the towns of Moultonborough, Sandwich &

Tamworth shall form a first Battalion, the companies in the towns of Conway, Eaton, Burton, Bartlet, Chatham & the Locations shall form a second Battalion, which shall constitute the nineteenth Regiment.—

And the companies in the towns of Walpole and Westmorland shall form a first Battalion, the companies in the towns of Surry, Gilsom & Sullivan shall form a second Battalion, which shall constitute the twentieth Regiment.

And the companies in the towns of Boscawen, Salisbury, Andover, New-London & Kiersearge -Gore shall form a first Battalion, the companies in the towns of Hopkinton, Warner, Sutton, Fishersfield and Bradford shall form a second Battalion which shall constitute the twenty first Regiment.—

And the companies in the towns of New-Ipswich, Sharon & Mason shall form a first Battalion, the companies in the towns of Peterborough, Temple & Wilton shall form a second Battalion, which shall constitute the twenty second Regiment.

And the companies in the towns of Lebanon, Enfield, Canaan & Grafton shall form a first Battalion, the companies in the towns of Hanover, Lime, Dorchester and Orange shall form a second Battalion, which shall constitute the twenty third Regiment.—

And the companies in the towns of Concord, Lyman, Littleton, Franconia, Lincoln & Dalton shall form a first Battalion the companies in the towns of Lancaster, Northumberland, Dartmouth, Piercy, Colburn, Cockburn, Stewart & Stratford shall form a second Battalion, which shall constitute the twenty fourth Regiment.—

And the companies in the towns of Durham, Lee and Madbury shall form a first Battalion, the companies in the town of Barrington shall form a second Battalion, which shall constitute the twenty fifth Regiment.—

And the companies in the towns of Antrim, Dearing, Henniker, Hillsborough & Campbells Gore shall form a first Battalion, the companies in the towns of Hancock Francistown, Greenfield, Lyn-borough & Society shall form a second Battalion, which shall constitute the twenty-sixth Regiment.

And the companies in the towns of Wakefield, Effingham Ossipee & Middletown shall form a first Battalion, the companies in the towns of Wolfborough, Tuftonborough, New-Durham & New-Durham-Gore shall form a second Battalion, which shall constitute the twenty seventh Regiment.—

And be it further enacted, that for arranging the militia into Brigades & Divisions the order be as follows, viz. the first, third, fourth & seventh Regiments shall compose, the first Brigade,—the second, tenth, nineteenth, twenty fifth, & twenty-seventh Regiments shall compose the second Brigade—the eighth, eleventh, seventeenth & eighteenth Regiments shall compose the third Brigade.—

The fifth, ninth, twenty first, twenty second & twenty sixth Regi-

ments shall compose the fourth Brigade,—the sixth fifteenth, sixteenth, twelfth & twentieth Regiments, shall compose the fifth Brigade.—the thirteenth, fourteenth, twenty third, & twenty fourth Regiments shall compose the sixth Brigade—And that the first & third Brigades shall form the first Division, the second & sixth Brigades shall form the second Division—& the fourth & fifth Brigades shall form the third division.—

And be it further enacted, That all laws heretofore made for arranging the militia be & hereby are repealed.—

[CHAPTER 33.]

State of }
New Hampshire. }

AN ACT FOR FORMING AND REGULATING THE MILITIA WITHIN THIS STATE, AND FOR REPEALING ALL THE LAWS HERETOFORE MADE FOR THAT PURPOSE.—

[Passed December 28, 1792. Original Acts, vol. 13, p. 142; recorded Acts, vol. 8, p. 121. Laws, 1797 ed., p. 415; id., 1805 ed., p. 251. See additional acts of June 19, 1793, Laws, 1797 ed., p. 426; June 18, 1795, id., p. 427; December 26, 1795, id., p. 429; December 27, 1798, id., 1805 ed., p. 264; December 10, 1800, id., p. 265; December 30, 1803, id., p. 265; December 22, 1808, id., 1815 ed., p. 287. This act repeals the acts of June 24, 1786 and September 23, 1786, Laws of New Hampshire, vol. 5, pp. 177, 197. By the act of December 30, 1803, so much of this act as exempts the following persons from military duty is repealed: "Elders and Deacons of Churches, Church Wardens, Masters of Arts, Selectmen, all militia officers, who now are in office or who shall hereafter be appointed, who shall not have served as such four years, all civil officers not holding commissions, Millers and Toll gatherers, members of the House of Representatives, all Physicians and surgeons, who have not certificates of being such from the medical society, all Ferry-men except those on post roads."]

Be it enacted by the Senate and House of Representatives in general court convened, that the several laws heretofore made for regulating the Militia be, and hereby are repealed.—

And be it further enacted, that each and every free, able bodied white male citizen of this State resident therein who is, or shall be of the age of eighteen years and under the age of Forty years, except as herein after excepted, shall severally and respectively be enrolled in the Militia by the Captain or Commanding officer of the Company within whose bounds such citizen shall reside within Six months after the passing this act: And it shall at all times hereafter, be the duty of every such Captain or Commanding Officer of the Company to enroll every such citizen as aforesaid And also those who shall from time to time arrive at the age of eighteen years, or being of the age of eighteen years and under the age of Forty years—except, as hereafter excepted, shall come to reside within his bounds, and shall without delay notify such citizen of said enrollment by a

proper non-commissioned officer of the Company, by whom such notice may be proved.—

And be it further enacted, that the Vice president of the United States, the officers judicial and executive of the government of the United States, the members of both houses of Congress and their respective officers—All Custom-house Officers with their clerks, all post-Offices, and Stage drivers who are employed in the care and conveyance of the Mail of the Post-Office of the United States and of this State— all ferrymen employed at any ferry on the post-road, all inspectors of exports, all pilots, all mariners actually employed in the sea service of any citizen or merchant within the United States—Members of the Senate and house of Representatives for the time being— Secretary, and Deputy Secretary of the State; State and County Treasurers, Recorders of Deeds—All Civil Officers, Students of Colleges and Academies—Ministers of the Gospel—elders and deacons of Churches, Church Wardens, Grammar School masters for the time being— Masters of arts— people denominated Quakers— Selectmen for the time being— Tutors or Preceptors of any College or Academy— All persons who may have sustained Commissions of the peace— All who have, either under the Commission of this State or the United States, or any particular State— held the office of a Subaltern or officer of higher rank— All physicians and Surgeons who have certificates from the Medical Society, or Selectmen of the Town or place wherein they reside—One Miller to each Corn Mill, and One toll gatherer to each toll bridge, shall be, and they are hereby excused from Militia duty, and also one Ferryman to each Ferry—

And be it further enacted, that it shall be the duty of the Captain or Commanding Officer of each Company twice in every year, exclusive of the battalion meeting, to call forth his Company for inspection of Arms, and instruction in military discipline— Viz't in the months of June and September annually, and at such other times as he shall think best; and that each commanding officer of a Battalion, shall call his battalion together once in every year.—

And be it further enacted, that each division within this State shall be commanded by one Major General, who shall have Two Aids de Camp with the rank of Major; each Brigade by one Brigadier General, who shall have one brigade Inspector, who is also to perform the duty of brigade Major, with the rank of Major. To each regiment one Lieutenant Colonel Commandant, and to each battalion One Major; to each Company one Captain, One Lieutenant, One Ensign, Four Sergeants, Four Corporals, One Drummer and One Fifer— That the regimental Staff shall consist of One Adjutant, One Quarter Master to rank as Lieutenants— One pay master, One Surgeon, One Surgeons Mate, One Sergeant-Major, One Drum-Major and One Fife-Major.—

And be it further enacted, that there shall be provided at the

expence of this State for each Regiment, One Standard and One suit of Regimental Colours—The Standard to bear the device, “The Arms of the United States;” The Regimental Colours—“The Arms of this State;”—that the Drums and Fifes be furnished by the Commanding officers of the Companies at the expence of the State.—

And be it further enacted, that the several commanding officers of Companies, shall cause accurate returns to be made of their Companies, to the commanding Officer of the Regiment to which they belong before the first day of February annually, and the Commanding Officer of each Regiment, shall cause to be made to the Brigade Major, a proper return of his regiment before the first day of March annually; and the respective Brigade Majors shall make out to the Adjutant General returns of their respective Brigades before the first day of April annually, agreeable to the forms that may be established by the Adjutant General, which the Adjutant General shall cause attested coppies of, to be lodged in the Secretary’s Office, by the first day of May annually.—

And be it further enacted that each commanding Officer of a Company who shall neglect to call his Company together as before provided, shall forfeit and pay for each neglect the sum of Six pounds; and each commanding Officer of a Battallion who shall neglect to call his battallion as before directed shall pay a fine of Nine Pounds.—

And be it further enacted, That it shall be accounted sufficient notice to any non Commissioned Officer or privates for appearance on Muster days, to be notified of such muster by a non-commissioned Officer in person, or by a writing by him signed, to be left at his last and usual place of abode, four days prior to such day of Muster; and if any non-Commissioned Officer or private after such notification shall unnecessarily neglect to appear equip’d as the law directs, he shall pay a fine of nine shillings, which shall be levied by distress and sale of the offenders goods and Chattels,—by warrant under the hand and seal of the Captain or commanding Officer of said Company—to be directed to the first Sergeant of the Company who is to levy the same, by the same rules and regulations as the laws, have pointed out for collecting rates and taxes, and shall have one quarter part thereof for his trouble, and the same fees that are allowed to Collectors on distraining for Taxes—and if no goods & Chattels of the delinquent are to be found, then to levy the same on the body of such delinquent: provided nevertheless that no such warrant shall be issued untill fifteen days after said muster day, that the delinquent may have time to make excuse (if any he has) for his non-appearance, which is to be made to the Commanding Officer of the Company.—

And be it further enacted, That if any non-commissioned Officer or soldier, shall prove refractory or disobedient on a muster-day, or shall insult or abuse his Officers or either of them, or treat them

with disrespect or contempt, the Commanding Officer present may order the offender to be immediately tried by five Commissioned Officers if so many should be present; and if not so many present, as many as there are in the field, who are empowered to punish the Offender, by ordering him to pay a fine not exceeding forty shillings at the discretion of the Officers, or ride a wooden horse.—

And be it further enacted, That on all Muster days, every Officer shall yield due obedience to his superior Officer, and every non Commissioned Officer and soldier shall yield entire and due obedience to the Commands of their superior Officers; and if any Officer shall on such days (or at any other time) refuse and neglect to obey the orders he may receive from his superior Officers respecting any matter relating to the government of the Militia, he shall be tried by a Court Martial, and if convicted thereof—shall be Cashiered—and the superior Officer may immediately put such offender in arrest, and report him and his Offence to the Officer commanding the Brigade (if the offender is under the rank of a field Officer) and the commanding Officer of the brigade is hereby empowered to appoint a Court-Martial for such Trial, and to approve the sentence; and if said Offender shall, by said Court be cashiered, and the sentence thereof approved, the said Officer shall be deemed incapable of holding any military Office again in this State; And in case the Offender is of the rank of a field Officer, or of higher rank, his offence shall be reported to the Major General, or Officer commanding the division, who is hereby empowered to appoint a Court Martial, for the trial of such offender, to approve the sentence of said Court; and if the offender be found guilty and the sentence shall be approved, he shall be disqualified as aforesaid. The Commander in Chief shall at all times have the right of appointing Courts Martial, when he shall think it necessary.—All courts Martial when appointed by the Commander in Chief, shall consist of thirteen members, the president of which shall be of the rank of Major-General—All Courts-Martial when appointed by a Major-General, shall consist of thirteen members, and the president shall be a Lieutenant Colonel or Officer of higher rank.—All Courts-Martial appointed by a Brigadier, shall consist of thirteen Members, the President of which shall at least be of the rank of a field Officer.—The Members of the Courts-Martial are to be sworn by the president and the president shall be sworn by the next highest in rank of the Members composing the same, and the President of every Court Martial shall have power to Administer the Oath to every Witness—

In order to the tryal of Offenders the Oath of the President and Members shall be in the words following—Viz^t—

You swear that you will well & truly try and impartially determine the Charge Against the person now to be tried, According to the rules for regulating the Militia of this State— So help you God—

The Oath to be Administer'd to Witnesses in Courts Martial shall be in the form following, Viz^t .

You swear the Evidence you shall give relative to the Charge now in hearing shall be the Truth the whole Truth & nothing but the Truth so help You God

And be it further Enacted that all Military Officers shall be Amenable to a Court-Martial for any unofficer or un-gentleman-like Conduct or Behaviour while on Duty, and at all other times, and to be tried and sentence Approved in the same way and manner as before provided for disobedience of Orders—

And be it further Enacted that all persons call'd by summons from the President of any Court Martial to give evidence , who shall unreasonably refuse or neglect to appear or appearing shall refuse to give evidence, shall be committed to the common Goal of the County where such Court is sitting, there to remain three months unless sooner discharged therefrom by the Justices of the Superior Court—and the President of the Court is to lodge the accusation against him with the prison keeper—

And be it further Enacted that every person appointing a Court Martial shall appoint some suitable person to act as Judge-Advocate who shall make a fair record of the whole proceedings, and deliver them to the officer appointing said Court-Martial, who shall cause the same or a Copy thereof to be lodged in the Secretary's Office within three months after such Trial—

And be it further enacted , that out of the Militia enroll'd as herein directed, there shall be formed for each Battalion at least one Company of Grenadiers or Light Infantry; and to each division there shall be at least one Company of Artillery and one Troop of Horse; There shall be to each Company of Artillery, one Captain, two Lieuten^{ts} four Sergeants, four Corporals, Six Gunners , six Bombardiers, one Drummer and one Fifer—The Officers to be armed with a Sword or Hanger a Fuzee, Bayonet and Belt, with a Cartouch box to contain twelve Cartridges—And each private Matross shall be furnished with the same equipments as privates in the Infantry: There shall be to each Troop of horse one Captain, two Lieutenants, one Cornet, four Sergeants, four Corporals, one Sadler, one Farrier and one Trumpeter, The Commissioned Officers to furnish themselves with good horses of at least fourteen hands and one half high, and to be armed with a Sword, and a pair of Pistols; the holsters of which to be covered with bear-skin Caps;—Each dragoon to furnish himself with a serviceable horse of at least fourteen hands and an half high— a good Saddle, Bridle, Mail Pillion and valice, holsters, a breast plate and Crupper , a pair of Boots and Spurs, a pair of Pistols, a Sabre and Cartouch-box, to contain twelve Cartridges for pistols:— That each Company of Artillery and Troop of horse shall be formed of Volunteers from the Brigade at the discretion of the

Commander in Chief of the State, not exceeding One Company of each to a Regiment, and shall uniformly be cloathed in Regimentals, to be furnished at their own expence, the colour and fashion to be determined by the Brigadier commanding the Brigade to which they belong.—

And be it further enacted, That each Non-Commissioned Officer and Soldier belonging to the Regiments of foot shall within one year from and after the passing this Act, furnish himself with a good firelock, Bayonet and Belt, a Cartouch box that will contain twenty four Cartridges, two good flints, a Knapsack and Canteen— and that the commissioned Officers belonging to Companies of foot, shall be severally armed with a Sword or hanger, and an Esponton, and that the field Officers be armed with a sword or hanger.—

And be it further enacted, that such of the Infantry as are under the care of parents, Masters, or Guardians, shall be furnished by them with such Arms and Accoutrements.—And such as are unable to furnish themselves shall make application to the Select-Men of the Town, who are to certify to their Captain or commanding Officer that they are unable to equip themselves, and the said Select-Men shall at the expence of the Town, provide for, and furnish such persons with Arms and equipments, which Arms and equipments shall be the property of the Town, at whose expence they were provided; And if any person so furnished shall embezzle or wilfully destroy the same, he shall be punished by any Court proper to try the same, upon Complaint made by the Select Men of said Town, by being publicly whiped, not exceeding twenty stripes, or fined not exceeding forty shillings—and that All fines recovered for embezzling or destroying of Arms and Accoutrements as provided in this Act, shall be paid into the hands of the Select Men, to be appropriated in purchasing Arms and Accoutrements for such Soldiers as are unable to purchase for themselves.—

And be it further enacted, That parents, Masters and Guardians shall be liable for the neglect and non-appearance of such persons as are under their care (and are liable by Law to train) and are to be proceeded against for the penalty, in the same manner, as by this Act is provided against other delinquents.—

And be it further enacted, That the Commander in chief, the Officers commanding Divisions, Brigades or Regiments, may appoint military watches or guards when an Invasion of the State is apprehended, in such place, and under such regulations as they may judge necessary; and all Officers and soldiers under their command are to yield strict obedience to their Orders and directions.—

And be it further enacted, That the signals for an alarm are to be fixed by the Captain General; and may by him be altered from time to time, and proper notice thereof is to be by him given to the several Officers; and if any non Commissioned Officer or soldier, shall upon the alarm being given, unnecessarily neglect to appear prop-

erly armed and equipped, at such time and place as the commanding Officer shall appoint; he shall pay a fine of twenty shillings: And all persons serving on any military Guards or watches shall be punishable for misconduct while in such service, by a Court-Martial to be appointed by the Commanding Officer of such Guard or watch, provided he be a field Officer, and in case he is not, then by the commanding Officer of the Regiment to which the Offender belongs.—

And be it further enacted, That when any non-Commissioned Officer shall refuse or neglect to notify or warn any of the Non-Commissioned Officers or Private Soldiers of the Company to which he belongs (being thereto ordered by his superior Officer) he shall pay a fine of twelve shillings, for each Non-Commissioned Officer or Soldier he shall neglect to warn, to be recovered in the same way and manner as is before provided.—

And be it further enacted, That every fine arising by any breach of this Act—for which no special mode of recovery has been pointed out, may be recovered by action, bill plaint or information, in any Court proper to try the same.—

And be it further enacted, That all fines recovered of any non-Commissioned Officer or Soldier for neglect of duty, shall be paid into the hands of the Commanding Officer of the Company, to which such non-Commissioned Officer or soldier may belong, to be expended in defraying the necessary expences of such Company as the Commissioned Officers of the same may direct. — That all fines recovered of the commanding Officer of any Company, shall be paid into the hands of the commanding Officer of the Battalion, to which such commanding Officer of a Company may belong—to be appropriated in instructing the Music in such Battalion—That all fines recovered of the commanding Officer of any Battalion, shall be paid into the hands of the Commanding Officer of the Regiment to which such Battalion may belong, to be disposed of in defraying the necessary expences in forming and arranging the Companies in such Regiments as the field Officers of the same may direct.—

And be it further enacted, That all commissioned Officers shall take rank according to the date of their Commissions, and when two of the same grade bear equal date, then the rank to be determined by lot, to be drawn by them before the Commanding Officer of the Brigade, Regiment Battalion, Company or detachment—

And be it further enacted, That the rules of discipline approved and established by Congress in their resolution of the twenty ninth of March, one thousand seven hundred and seventy nine, shall be the rules of discipline to be observed by the Militia in this State.—

And be it further enacted, that it shall be the duty of the Brigade-Inspector, to attend the Regimental and Battalion meetings of the Militia composing their several Brigades, during the time of their being under arms, to inspect their Arms, Ammunition and accoutre-

ments—superintend their exercise and manoeuvres, and introduce the System of military discipline before described.—

And be it further enacted, That the Cavalry and Artillery be subject to fine or punishment in the same manner as those who belong to the Infantry,—

And be it further enacted, That all Courts Martial may consist of Officers of any Corps within the limits of the Brigade where the person accused may reside.—

And be it further enacted, That a Captain or Commanding Officer at the head of his Company may direct his Non-Commissioned Officers and soldiers to meet at any future day, which shall be legal notice—

And be it further enacted, That Non-commissioned Officers be reduced to the ranks, for any misdemeanor, which in the opinion of all the Commission'd Officers of the Company shall deserve such punishment

And be it further enacted, That all Commissioned Officers belonging to any Company of Infantry shall reside within the limits of such Company.—

And be it further enacted, That when it shall so happen that Officers of the different Corps shall be on duty together, the first Officer in rank shall command, whether of the Infantry, Cavalry or Artillery.—

And be it further enacted, That every Citizen enrolled as directed in this Act, and provided with Arms and Accoutrements, shall hold the same exempted from all suits, distresses, Executions, or sales for debt, or for the payment of Taxes—

And be it further enacted, That the Militia of this State shall be divided into three divisions, and if convenient each division shall consist of Two Brigades—each Brigade of four Regiments—each Regiment of two Battalions— each Battalion of five Companies and each Company of Sixty four privates.—

And be it further enacted, That in forming the Cavalry and Artillery, not more than one eleventh part shall enlist out of any one Company of Infantry into such Corps.—

And be it further enacted, That the field Officers of each and every Regiment, shall form and arrange the Companies in their several Regiments, from time to time as they shall think the public good may require.—

And be it further enacted, That there shall be an Adjutant-General, whose duty it shall be to distribute all orders from the Commander in Chief of this State to the several Corps, to attend all public reviews, when the Commander in Chief of the State shall review the Militia, or any part thereof— to obey all Orders from him relative to carrying into execution and perfecting the system of Military discipline, established by Law—to furnish blank forms of different returns that may be required, and to explain the principles

on which they shall be made to receive from the several officers of the different Corps throughout the State— returns of the Militia under their command reporting the Actual situation of their Arms, Accoutrements and Ammunition, their delinquencies and every other thing which relates to the general advancement of good order and discipline—

And be it further Enacted, that compensation shall be made to the Adjutant General and the Brigade Inspectors for their services from time to time by the Legislature as they shall think just—

And be it further Enacted that the colour of the Uniform of the Infantry be determined on by the Commander in Chief—

And be it further Enacted that each and every non commissioned Officer or Soldier who shall inlist into any Corps of Horse or Artillery shall within six months from and after such inlistment equip himself as the Law directs, and at the expiration of the said six months, should he not be equip'd as aforesaid, then to return to the Company from which he inlisted, and the commanding Officer thereof is hereby directed to enroll him Accordingly—

And be it further Enacted, that the several Companies which compose the Regiments of Cavalry be annexed to the Regiments of Infantry in manner following—

To each Regiment of Infantry there shall be as far as the number of Companies of Cavalry will admit of it, one Troop of Horse or Company of Cavalry with the present officers, (if they see fit) and men of said companies, who are now uniformly clothed and equipped or shall be within four months—said Troops of Horse shall be under the command of the field Officers of the Regiments of Infantry, and shall be join'd to such Regiments as shall be the most contiguous and convenient to said companies—Privilege shall be allow'd to the non-commissioned Officers and privates of Cavalry at any time hereafter of being enrolled as Infantry Provided they decline serving as Cavalry and said Companies of Cavalry may be compleated by inlistments from time to time from the Infantry as vacancies may be in said Companies—

And be it further Enacted that this Act shall be read at the head of each Company in the several Regiments in this State at least once every year—

[CHAPTER 34.]

State of }
New Hampshire. }

AN ACT TO REVIEW A CERTAIN ACT PASSED THE TWENTY FIRST OF DECEMBER ONE THOUSAND SEVEN HUNDRED & NINETY ONE— INTITLED “AN ACT TO AUTHORIZE THE ASSESSMENT AND COLLECTION OF TAXES IN THE TOWNSHIP OF COVENTRY IN THE COUNTY OF GRAFTON IN SAID STATE” AND TO EXTEND THE TIME FOR EFFECTING THE PURPOSES THEREIN MENTIONED—

[Passed December 28, 1792. Original Acts, vol. 13, p. 143; recorded Acts, vol. 8, p. 145. See act referred to, Laws of New Hampshire, vol. 5, p. 804.]

Whereas in and by said Act, Assessors were appointed to assess certain public taxes & arrears of taxes due from said township of Coventry authorizing them to collect & pay the same in the manner in & by said act directed, within One year from the passing thereof— And Whereas it is now represented to the General Court that said Assessors made out the Assessment in due season to be paid in money, but on examination, found, that by reason that no selectmen had been appointed in said Coventry—The Proprietors & inhabitants thereof could not reap equal advantages with towns in which there were selectmen— by means whereof the said Assessors and others have been prevented from carrying into effect the design of said Act—And whereas by a Vote of the Legislature passed the present Session, a remedy is given in the case aforementioned to said town of Coventry & other towns in like circumstances where there are no selectmen.

And it being necessary that a further time be granted to carry into effect the purposes intended by said act—Therefore—

Be it enacted by the Senate & House of Representatives in General Court conven'd, That the aforementioned Act with all the authority therein contain'd be revived & continued in full force for the term of one year from the passing this act.

[ORDERS, RESOLVES AND VOTES OF A LEGISLATIVE NATURE PASSED DURING THIS SESSION.]

1792, December 4.

Whereas it is necessary that the Electors appointed by this State to Ballot for a President and vice president of the United States should have authentic certificates of their appointment to be forwarded with their votes to the President of the Senate of the United States — Resolved that the President of this State be requested to make out such certificates duly authenticated and deliver them to the said Electors on or before the fifth day of December Instant—

[House Journal, 1790-94, p. 422. Senate Journal, 1791-6, p. 108.]

1792, December 6.

The Committee appointed to report what shall be done with the Surplusage of Law Books reported that the order of the General Court of the fifteenth of February 1791 be complied with that if the said order doth not include all parishes incorporated by Act of the Legislature that it be extended to all such— And that all Towns or parishes incorporated or Members of the General Court which by any accident have not had their books delivered according to said order shall receive one Book each and that the residue remain in the Secretary's office for the future disposal of the Legislature—

[House Journal, 1790-94, p. 425. Senate Journal, 1791-6, p. 109.]

1792, December 6.

The Committee on the Petition of Levi Pease reported that the prayer thereof be so far granted that he have the Exclusive right of running a stage from the southerly line of this state to Haverhill for the term of Six years provided he shall run the same at least one half the distance from Hanover to the South line of the state on the east side of Connecticut river and that he have leave to bring in a Bill accordingly.—

[House Journal, 1790-94, p. 427. Senate Journal, 1791-6, p. 110.]

1792, December 7.

The Committee to consider of and report the time proper for the Amendments and alterations in the Constitution to take effect and the necessary arrangements therefor— Reported that it take effect so far as relates to choice of the Executive and Legislative Officers of the state also County Treasurer and recorder of deeds on the first day of February 1793 and that the whole be in force on the first Wednesday of June 1793—

[House Journal, 1790-94, p. 432. Senate Journal, 1791-6, p. 112.]

1792, December 13.

Whereas in the Act for Incorporating the Town of Hebron no provision is made for their being represented in the General Court and doubts have arisen whether they have a right to vote within any district— Therefore Resolved that the Town of Hebron be classed with the Towns of New Chester Bridgewater Cockermouth and Alexandria for the purpose of voting for a Representative to the General Court with the privilege of holding the meeting for chusing said Representative in Hebron in turn with the other Towns in the district—

[House Journal, 1790-94, p. 451. Senate Journal, 1791-6, p. 118.]

1792, December 13.

It appearing on representation to the Court that the Sum or fees paid to the inspector of pot and pearl ashes are inadequate to the Services by him performed—

Therefore Resolved that from the time of passing this Resolve the

Inspector be entitled for the term of the two next Succeeding years to five pence half penny for each hundred weight of pot or pearl ashes inspected by him which shall be in lieu of the Sum or fees allowed him by the Act for the inspection of pot or pearl ashes passed 28th of Dec^r 1791— which resolve was read & concurred with this amendment, “that he have four pence instead of five pence half penny for inspecting each hundred weight of pot or pearl Ashes”—

[House Journal, 1790-94, p. 463. Senate Journal, 1791-6, p. 116.]

1792, December 17

Voted that the Electors for this state of President and vice President of the United states have and receive as a Compensation for their Services nine shillings p^r day and pay for travel as members of the Legislature except that no pay for travel as Electors be allowed to those who are paid for travel as Members of the Legislature and that the Secretary make up a Roll for payment of said Electors accordingly

[House Journal, 1790-94, p. 457. Senate Journal, 1791-6, p. 119.]

1792, December 18.

Resolved that this State become interested in and partner with the proprietors of the New Hampshire Bank established by a Law of this state passed January 3^d 1792 to the Amount of twenty six shares equal to ten Thousand four hundred Dollars on the Condition following (viz) that if at a public meeting of said proprietors or Stockholders called for that purpose they shall direct their Cashier to give bond to his Excellency the President in behalf of this State which bond he is hereby requested to take in the penal Sum of Twenty Thousand Dollars Conditioned that if the Legislature of this State shall at any time within three years from the time of paying said money into the bank request a repayment of said Sum of Ten thousand four hundred Dollars with Interest at the rate of Six p^r Cent p^r Annum from the time of making payment as aforesaid then the proprietors as aforesaid shall immediately repay said Sum with Interest as aforesaid— That on receiving Such Bond his Excellency the President be and hereby is authorized and requested to give the Cashier of the New Hampshire bank an order on the Treasurer of this State for the Sum of Ten thousand four hundred Dollars taking his receipt for that Sum and acknowledging that the State are interested in said Bank to the amount of twenty six shares equal to ten thousand four hundred dollars and entitled to an equal Share of all profits arising therefrom in proportion to the stock held by the state provided they do not withdraw their stock with Interest as aforesaid—

And be it further Resolved that Oliver Peabody Esquire be and he hereby is appointed and authorized on the part and in behalf of this State to represent the Shares owned by the State in the New Hampshire Bank at all meetings of the stockholders and to vote in behalf of this State at all meetings of said Stockholders agreeably to the rates mentioned in the Law establishing said Bank— And be it further resolved that if the State should not think proper to withdraw their Stock as aforesaid then in such case the said Oliver Peabody be and he hereby is Authorized and required

to make report in writing to his Excellency the Governor of this state for the time being of the Sum accruing to this state from any dividend of profits arising from the Stock held by this State in said Bank and his Excellency the Governor of this State for the time being by and with advice of Council is hereby impowered to draw a Warrant on the Cashier of the Bank for the time being in favour of the Treasurer of this State taking the Treasurers receipt to be accountable to the State therefor for all such dividends of profit accruing to the state as aforesaid

[House Journal, 1790-94, p. 454. Senate Journal, 1791-6, p. 121.]

1792, December 20.

The Committee appointed to consider of the Memorial and Petition of the Board of Trustees of Dartmouth College reported that for the encouragement of Literature a further grant should be made for the benefit of that Seminary adjoining to that already made so as to amount in the whole to Sixty Thousand Acres including the grant already made to begin at the North easterly corner of said grant and to run on a straight line with the North side line, thereof to the dividing line between this State and the late Province of Maine then Southerly on said line so far as that a line running Westerly paralel with the south line of said grant until it strikes some former grant & then Northerly by such grant or grants to said South line shall with the said former grant to said College contain Sixty Thousand Acres on condition that if the lands should be disposed of by the said Trustees that it shall be subjected to pay taxes in the Same manner as other lands in this state—which report being read and considered voted that it be received and accepted—

[House Journal, 1790-94, p. 470. Senate Journal, 1791-6, p. 124.]

1792, December 20.

Voted that the person attending the light House at the entrance of Piscataqua harbour have liberty to use the flags that belong to this state to be hoisted as heretofore on the approach of any topsail vessel—

[House Journal, 1790-94, p. 467. Senate Journal, 1791-6, p. 124.]

1792, December 28.

The Committee on the Petition of Jeremiah Eames and of the Towns of Bath & Landaff—reported that the Towns in the Northerly part of this state between Haverhill and the Lattitude 45° be divided into four districts for chusing Representatives in the manner following (viz)—

The Towns of Bath Landaff and Lincoln to form one district—The Towns of Lyman Concord and Franconia to form one district—The Towns of Littleton Dalton Lancaster and Dartmouth to form one District— And the Towns of Northumberland Piercy Stratford Cockburne Coleburne Shelburne & Stuart to form one district—which report being read and considered—Voted that it be received and accepted— and that each of said districts be and hereby are impowered to send one Representative to the General Court in future—

[House Journal, 1790-94, p. 491. Senate Journal, 1791-6, p. 135.]

[SECOND GENERAL COURT.]

[*Held at Concord and Exeter, June 5, 1793 to February 22, 1794.*]

[OFFICERS OF THE GOVERNMENT.]

JOSIAH BARTLETT, GOVERNOR.
 JOSEPH PEARSON, SECRETARY.
 NATHANIEL PARKER, DEPUTY SECRETARY.
 JOHN TAYLOR GILMAN, TREASURER.
 JOSHUA ATHERTON, ATTORNEY GENERAL.
 ABIEL FOSTER, PRESIDENT OF THE SENATE.
 NATHANIEL PEABODY, SPEAKER OF THE HOUSE.

[MEMBERS OF THE COUNCIL.]

Phillips White,	South Hampton.
Ebenezer Smith,	Durham.
Robert Wallace,	Henniker.
Lemuel Holmes,	Surry.
Jonathan Freeman,	Hanover.

[MEMBERS OF THE SENATE.]

Christopher Toppan,	Hampton.
Oliver Peabody,	Exeter.
James McGregore,	Londonderry.
Abiel Foster,	Canterbury.
Samuel Hale,	Barrington.
Ebenezer Smith,	Meredith.
¹ Joshua Atherton,	Amherst.
Henry Gerrish,	Boscawen.
Charles Barrett,	New Ipswich.
Elisha Whitcomb,	Swanzey.
John Bellows,	Walpole.
² Jonathan Freeman,	Hanover.

¹ Joshua Atherton was appointed Attorney General December 28, 1793, and Samuel Dana of Amherst was chosen to fill the vacancy.

² Jonathan Freeman declined the appointment as senator and Moses Baker of Campton was chosen in his place.

[MEMBERS OF THE HOUSE.]

Acworth,	}	William Grout.
Lempster and		
Marlow,		
Alexandria.	See New Chester.	
Allenstown.	See Epsom.	

	Alstead,	Nathaniel S. Prentice.
Moses	Hale represented Alstead in the December session.	
	Amherst,	Daniel Warner.
	Antrim. See Hancock.	
	Atkinson and } Plaistow , } Barnstead, Barrington,	Nathaniel Peabody. Charles Hodgdon. Isaac Waldron. William Hale.
	Bartlett. See Conway.	
	Bath, } Landaff and } Lincoln, } Bedford, Boscawen,	Jeremiah Hutchins. Stephen Dole. Enoch Gerrish.
	Bow. See Dunbarton.	
	Brentwood,	Richard Bean.
	Bridgewater. See New Chester.	
	Burton. See Tamworth.	
	Campton. See Holderness.	
	Canaan. See Orange.	
	Candia,	Samuel Morrill.
	Canterbury,	Samuel Gerrish.
	Charlestown and } Langdon, }	Samuel Stevens.
	Chester,	Joseph Blanchard.
	Chesterfield,	Eleazer Jackson.
	Chichester and } Pittsfield, }	Robert Tibbetts.
	Claremont,	Benjamin Sumner.
	Cockburne. See Northumberland.	
	Cockermouth. See New Chester.	
	Colburne. See Northumberland.	
	Concord,	William Duncan.
	Concord (Lisbon). See Lyman.	
	Conway, } Bartlett and } Locations, }	Andrew McMillan.
	Cornish,	James Wellman.
	Coventry. See Haverhill.	
	Croydon. See Newport.	
	Dalton. See Lancaster.	
	Dartmouth. See Lancaster.	
	Deerfield,	Joseph March.
	Deering,	Joshua Folsom.
	Derryfield. See Litchfield.	
	Dorchester. See Lyme.	

Dover,		John Waldron.
Dublin and	}	Samuel Twitchell.
Packersfield,	}	
Dunbarton and	}	David Story.
Bow,	}	
Dunstable,		Frederick French.
Durham,		Ebenezer Thompson, Jr.
East Kingston.	See South Hampton.	
Eaton.	See Tamworth.	
Effingham.	See Wakefield.	
Enfield,		Jesse Johnson.
Epping,		Jonathan Clark.
Epsom and	}	Michael McClary.
Allenstown,	}	
Exeter,		Benjamin Connor.
Fitzwilliam,		Nahum Parker.
Francestown,		Jonathan Fisk.
Franconia.	See Lyman.	
Gilmanton,		Joseph Badger, Jr.
		Samuel Greeley.
Gilsum,	}	
Sullivan and	}	Roswell Hubbard.
Surry,	}	
Goffstown,		Robert McGregore.
Grafton.	See Orange.	
Greenland,		Joshua Weeks.
Hampstead,		John Hogg.
Hampton,		Joseph Dow.
Hampton Falls and	}	Nathan Brown.
Seabrook,	}	
Hancock and	}	John Duncan.
Antrim,	}	
Hanover,		Ebenezer Brewster.
Haverhill and	}	Moses Dow.
Coventry,	}	
Hawke and	}	Thomas Page.
Sandown,	}	
Hebron.	See New Chester.	
Henniker,		Timothy Gibson.
Hillsborough,		Benjamin Pierce.
Hinsdale,		Uriel Evans.
Holderness,	}	
Campton and	}	Moses Baker.
Thornton,	}	

Moses Baker was elected to the Senate and Samuel Holmes was chosen to fill the vacancy.

Hollis,

Jeremiah Ames.

Hopkinton,	Benjamin Darling.
Jaffrey,	Abel Parker.
Keene,	Jeremiah Stiles.
Kensington,	Jeremiah Fogg.
Kingston,	Amos Gale.
Lancaster,	Jonas Wilder, Jr.
Littleton,	
Dalton and	
Dartmouth,	
Landaff. See Bath.	
Langdon. See Charlestown.	
Lebanon,	Elisha Payne.
Lempster. See Acworth.	
Lincoln. See Bath.	
Litchfield and	John Webster.
Derryfield,	
Littleton. See Lancaster.	
Londonderry,	John Prentice.
	John Bell.
	Enoch Wood.
Loudon,	
Lyman,	John Young.
Concord (Lisbon) and	
Franconia,	
Lyme and	John Fairfield.
Dorchester,	
Lyndeborough,	Nehemiah Rand.
Marlborough,	Phinehas Farrar.
Marlow. See Acworth.	
Mason. See Raby.	
Meredith and	Thomas Simpson.
New Hampton,	
Merrimack,	Timothy Taylor.
Middleton. See Wakefield.	
Moultonborough,	Nathan Hoit.
Tuftsboro,	
Ossipee and	
Wolfeboro,	
Newcastle. See Rye.	
New Chester,	Thomas Crawford.
Bridgewater,	
Alexandria,	
Cockermouth and	
Hebron,	Thomas Tash, Jr.
New Durham and	
New Durham Gore,	
New Grantham. See Protectworth.	
New Hampton. See Meredith.	

Newington,	Ephraim Pickering.
New Ipswich,	Jeremiah Pritchard.
Newport and }	Jesse Lane.
Croydon, }	Robert Stuart.
Newton,	Moses Leavitt.
North Hampton,	
Northumberland, }	
Piercy, }	
Stratford, }	William Cargill.
Cockburne, }	
Shelburne and }	
Stuart, }	
Northwood,	Jonathan Clark.
Nottingham,	Jonathan Cilley.
Nottingham West,	Asa Davis.
Orange, }	
Canaan and }	Daniel Blaisdell.
Grafton, }	
Orford and }	
Wentworth, }	William Simpson.
Ossipee. See Moultonborough.	
Packersfield. See Dublin.	
Pelham,	Amos Moody.
Pembroke,	Samuel McConnell.
Peterborough,	John Smith.
Piercy. See Northumberland.	
Piermont and }	Jonathan Merrill.
Warren, }	
Pittsfield. See Chichester.	
Plainfield,	Daniel Kimball.
Plaistow. See Atkinson.	
Plymouth and }	
Rumney, }	Benjamin Gould.
Poplin. See Raymond.	
Portsmouth,	George Gains.
	John Peirce.
	John Hale.
Protectworth and }	Jedediah Philbrick.
New Grantham, }	
Raby and }	
Mason, }	Joseph Merriam.
Raymond and }	
Poplin, }	Ezekiel Godfrey.
Richmond,	Moses Tyler.
Rindge,	Daniel Rand.
Rochester,	Aaron Wingate.
	James Howe.

Rumney.	See Plymouth.	
Rye and	}	Joseph Parsons.
Newcastle,		
Salem,		James Webster.
Salisbury,		John C. Gale.
Sanbornton,		William Harper.
Sandown.	See Hawke.	
Sandwich,		Daniel Beede.
Seabrook.	See Hampton Falls.	
Sharon and	}	Abijah Wheeler.
Temple,		
Shelburne.	See Northumberland.	
Somersworth,		James Carr.
South Hampton and	}	Eliphalet Webster.
East Kingston,		
Stoddard and	}	Nathaniel Emerson.
Washington,		
Stratford.	See Northumberland.	
Stratham,		Stephen Piper.
Stuart.	See Northumberland.	
Sullivan.	See Gilsum.	
Surry.	See Gilsum.	
Swanzey,		Elisha Whitcomb.
		Elected to the Senate.
Tamworth,	}	Samuel Gilman.
Eaton and		
Burton,		
Temple.	See Sharon.	
Thornton.	See Holderness.	
Tuftonboro.	See Moultonborough.	
Wakefield,	}	David Copp.
Middleton and		
Effingham,		
Walpole,		Thomas Bellows.
Warner,		James Flanders.
Warren.	See Piermont.	
Washington.	See Stoddard.	
Weare,		Obadiah Eaton.
Wentworth.	See Orford.	
Westmoreland,		Joseph Burt.
Wilton,		Abiel Abbott.
Winchester,		Daniel Hawkins.
Windham,		James Betton.
Wolfeboro.	See Moultonborough.	

[*First Session, Held at Concord, June 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 1793.*]

[CHAPTER 1.]

State of }
New Hampshire. }

AN ACT TO REPEAL, AN ACT INTITLED "AN ACT TO ENABLE THE CONGREGATIONAL, AND PRESBYTERIAN SOCIETIES IN THE TOWN OF NEWMARKET, TO SETTLE AND MAINTAIN THE GOSPEL MINISTRY; AND TRANSACT OTHER PRUDENTIAL AFFAIRS OF THEIR RESPECTIVE SOCIETIES" PASSED NOVEMBER, 21ST IN THE YEAR 1777.—

[Approved June 13, 1793. Original Acts, vol. 14, p. 1; recorded Acts, vol. 8, p. 148. For the act referred to, see Laws of New Hampshire, vol. 4, p. 109.]

Whereas said Societies have by their Agents, petitioned this Court, representing; that the Operation of said Act, has from Experience been found to be very inconvenient, and prejudicial to the Interest of the Parties concerned; and praying that said Act may be repealed: The prayer thereof appearing Reasonable.—

Therefore.

Be it enacted by the Senate and House of Representatives in General Court convened, That the aforesaid Act be, and hereby is Repealed.—

[CHAPTER 2.]

State of }
New Hampshire. }

AN ACT TO AUTHORIZE SARAH MACADAM TO RECOVER AND RECEIVE ANY DEMAND SHE MAY HAVE, AS AN HEIR OF ROBERT STOCKEL DECEASED, AGAINST THE ESTATE OF WILLIAM FURNALD DECEASED, OR ANY OTHER PERSONS.

[Approved June 15, 1793. Original Acts, vol. 14, p. 2; recorded Acts, vol. 8, p. 149.]

Whereas Sarah MacAdam of Portsmouth in said State, wife of John MacAdam of Portsmouth aforesaid Mariner, hath petitioned the General Court representing that Robert Stockel late of said Portsmouth Mariner deceased died seized and possessed of some real & personal Estate, That Mary Stockel Widow of said Robert administered thereon, & soon after inter-married with William Fernald of said Portsmouth, who Joined with her in the administration, a set-

tlement of which was long since effected with the Judge of Probate for the County of Rockingham, by which settlement a considerable balance is acknowledged to remain & now remains in their hands, two thirds of which belongs to the heirs of said Stockel, that the said Furnald has since deceased, and that She the said Sarah, as one of the children of the said Robert deceased, is entitled to her proportion of said balance, which the Executors of the said William Furnald cannot effect any settlement of for want of a competent power in her the said Sarah to give legal & sufficient releases therefor, as the said John MacAdam is now alive, tho' he has for a long time absented himself from the Country, & totally neglected making any provision for his said wife & family; Wherefore She prayed that she might be Enabled to sue for, recover, and receive any Just claim or demand She may have against the Estate of the said William Furnald as a child & heir of the said Robert Stockel deceased, and to make and execute good & legal discharges to the heirs or Executors of the said William in as full & ample a manner as if She had been specially empowered by her said husband for that purpose; The principal facts being substantiated and the prayer of the petition appearing reasonable, Therefore, Be it Enacted by the Senate and House of Representatives in General Court convened, that the said Sarah MacAdam be, and hereby is Authorized & empowered to sue for, recover and receive any Just claim or demand that She may have, in her right as aforesaid, against the heirs or Executors of the said William Furnald or any other person or persons, and to make & execute good & legal discharges for the same; And to do & perform all acts concerning the premises in as full & ample a manner as She might or could do if She were a feme sole, or as if the said John MacAdam had himself done and executed, or had Joined with her in doing and executing, the same.

[CHAPTER 3.]

State of }
New Hampshire. }

AN ACT TO PROHIBIT ANY PERSON OR PERSONS FROM PITCHING OR
 HALING UP SEAWEED OR ROCKWEED AT THE SEA SHORE IN THE
 NIGHT, OR TO PILE UP ANY BELOW THE SEA WALL IN THE DAY
 TIME, IN THE TOWNS OF HAMPTON & NORTH HAMPTON—

[Approved June 18, 1793. Original Acts, vol. 14, p. 3; recorded Acts, vol. 8, p. 152. See act of June 12, 1789, Laws of New Hampshire, vol. 5, p. 443; act of January 15, 1794, Laws, 1797 ed., p. 410; act of December 13, 1808, id., 1815 ed., p. 400.]

Be it enacted by the Senate & House of Representatives in General Court convened, That if any person or persons shall pitch or

carry up any Seaweed or Rockweed at the Sea Shore in the night time, between day light down in the Evening and day break in the morning, or pile up any Seaweed or Rockweed below the Sea wall in either of the aforesaid Towns of Hampton & North Hampton; that all & every such person or Persons shall forfeit and pay the Sum of Six shillings for every Cart Load of Seaweed or Rockweed so pitched & carried up, or piled up below the Sea wall as aforesaid in either of said Towns, and in proportion for any greater or less Quantity ; to be recovered by Action of Debt in any Court proper to try the Same, for the use of any Inhabitant of either of said Towns who shall sue therefor—

This Act to be in force for the Term of Ten Years and no longer—

[CHAPTER 4.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE A NUMBER OF PERSONS BY THE NAME OF THE UNIVERSALIST SOCIETY AT PORTSMOUTH.

[Approved June 18, 1793. Original Acts, vol. 14, p. 4; recorded Acts, vol. 8, p. 154. See additional act of June 10, 1806, recorded Acts, vol. 16, p. 268.]

Whereas Daniel Rindge, Thomas Martin, Jonathan M. Sewall and Martin Parry with many others have petitioned the General Court setting forth, that they are proprietors or owners of a certain piece of land situate in said Portsmouth with the buildings thereon known by the name of the Universalist meeting house, and requesting to be incorporated by the name of the Universalist society for the purpose of altering, enlarging, and keeping said building & appurtenances in proper repair.—

The prayer of which petition being reasonable—

Be it therefore enacted by the Senate and house of Representatives in General Court convened, that the said Petitioners and all others proprietors or owners of the said premises who may at any meeting of the society here after mentioned be admitted Members, be and hereby are incorporated and made a body politic and corporate, by the name of the Universalist society— with power to hold the same land and premises as a body corporate forever, and also to have and to hold all and every gift, grant, and donation, in fee or for a less estate, of real or personal property provided the value thereof exceed not the sum of One hundred pounds £ year exclusive of said land & buildings and the same to sell, and convey and manage in all respects, but so as may not defeat the intention of the Donor.

And be it further enacted, that the said Corporation shall be

capable in law, to sue and be sued, plead and be impleaded, answer, and be answered unto, defend and be defended in all Courts of record or other Courts or places whatsoever, and do and execute all and singular other matters and things incident to a body Corporate or Politic.—

And be it further enacted, that for the well governing of the said Corporation and the ordering their affairs in the premises, they shall have such Officers as they shall hereafter direct and appoint, and that such Officers shall have full power to act accordingly—and said Corporation shall have full power from time to time to assess taxes upon the members of the said Corporation, and levy and collect the same in manner as they may think fit, and to do all and every matter and thing for the purposes aforesaid—and that for the several purposes of the Incorporation they shall have an annual meeting to be held sometime in the month of May, as may be hereafter directed by the same Society—and that Daniel Rindge Esquire be and he hereby is appointed to warn and preside at the first meeting of said Society, when or at any adjournment of the same or at any other regular meeting of the said Society they may choose such Officers as may be necessary for the government and ordering the affairs of the said body corporate.—

Provided nevertheless and be it further enacted that nothing contained in this Act shall ever be construed to empower the said Corporation to assess upon any property belonging to said Society or upon the Individuals thereof any taxes for the support of a Minister.—

[CHAPTER 5.]

State of }
New Hampshire. }

AN ACT TO MAKE VOID A DEED GIVEN BY FRANCIS BLOOD TO RALPH EMERSON.

[Approved June 18, 1793. Original Acts, vol. 14, p. 5; recorded Acts, vol. 8, p. 161.]

Whereas Francis Blood of Hollis in the County of Hillsborough husbandman hath petitioned The General Court representing that, on the tenth day of October AD Seventeen hundred and Ninety, he was indebted by Note to one Ralph Emerson then of said Hollis in the sum of about Eleven pounds, and that the said Emerson had before that time promised one Isaac Appleton, a Deputy Sheriff for said County, to secure to him the payment of a certain Execution, which said Appleton had against said Blood, in favor of one Elizabeth Amory for about twelve pounds; And the said Blood, to indemnify said Emerson from all damages which might happen to him

by reason of his said promise, and to secure the payment of the Note aforesaid, did on the said tenth day of August, make & execute a good and valid Deed of Bargain & Sale with proper clauses of warranty and Assurance to the said Emerson of his the said Blood's farm in Hollis aforesaid, containing about one hundred & twenty three acres, and the said Emerson did then agree with the said Blood, that if he paid the debts aforesaid, or secured them to the said Emerson, he the said Emerson would reconvey the land aforesaid to the said Blood within a fortnight from the time of giving said deed; but the said Emerson was unfortunately killed the day before the said land was to be reconveyed, which rendered it impossible that said agreement should ever be complied with; and the said Blood further represented that he had satisfied the Execution aforesaid and nearly discharged said Note; Wherefore he prayed, that the Deed aforesaid, from him the said Blood to the said Emerson of the land aforesaid, might be vacated, & rendered null and void— The principal facts being substantiated, and the prayer of the petition appearing reasonable Therefore, Be it Enacted by the Senate and House of Representatives in General Court convened, that the Deed aforesaid, from the said Blood to the said Emerson, dated August the tenth AD Seventeen hundred & ninety, Be & hereby is rendered null, void and of none effect; and that the fee of the said land be, and hereby is, again vested in the said Blood & his heirs, in as full and ample a manner, as if said Deed had never been given.

[CHAPTER 6.]

State of }
New Hampshire. }

AN ACT TO ASSESS A TAX OF TWO PENCE ON EACH ACRE OF ALL THE LAND IN THE TOWN OF ANTRIM FOR THE PURPOSE OF MAKING AND REPAIRING THE HIGHWAYS & BRIDGES IN SAID TOWN—

[Approved June 19, 1793. Original Acts, vol. 14, p. 6; recorded Acts, vol. 8, p. 157.]

Whereas a Petition hath been preferred to the General Court in behalf of the Town of Antrim in said State, praying for a tax of two pence per acre on all the lands in said Antrim, for the purpose of making and repairing the Highways & Bridges in said town; public Notice being given, and a public hearing had thereon, and the prayer thereof appearing reasonable, Therefore, Be it Enacted by the Senate & House of Representatives in General Court convened, that the Select Men of said Antrim Be, and they hereby are empowered to assess a Tax of two pence per Acre on all the lands in said town, and to commit the same Assessment to John Duncan

Esquire—who is hereby authorized & empowered to Collect the same, and to lay out the proceeds thereof in making and repairing the public roads & bridges in said Antrim. And the said Collector shall give Notice to all the Nonresident Owners of land in said Antrim, that the said Assessment is committed to him to collect, by publishing the same in the Newhamphshire Gazette, three weeks successively; And the said Assessment shall be made in the way pointed out by the Laws of this State for Assessing State taxes on the Lands of Nonresidents; And the Owners of such land assessed as aforesaid Shall have two years to work out, or pay said taxes, one half in each year; and three months in each Year from such publication shall be allowed the said Nonresidents to work out their taxes under the direction of said Collector at the rate of three shillings per day for an able labourer, finding himself provision and tools; And in case the Owners of such lands shall not work out their said Taxes within the time aforesaid, nor pay the same to the said Collector within one Month from and after the expiration of said three Months, the said Collector shall sell at public Vendue so much of said lands as will pay the tax due thereon, together with the reasonable incidental charges: And said Collector, before he proceed to sell said lands, shall advertize the same as the Law directs for advertizing & selling the land of Nonresidents; excepting what respects the advertizing by the State's Receiver of Nonresident taxes. And said Collector may execute a good & valid deed or deeds to the purchaser or purchasers, and the same Equity of redemption shall be allowed, as is by Law prescribed in Case of Nonresident lands being sold for the payment of State taxes.—

And Be it further Enacted by the Authority aforesaid, that the said Collector shall give the Inhabitants of said Town such notice as is usually given by the Collectors of State taxes that the terms aforesaid are allowed them to work out, or pay their said taxes; and if they refuse, or neglect to work out, or pay their said taxes within the time aforesaid, then, in such case, the said Collector shall and May levy & Collect the same by dstraint, or otherwise, as fully and to all intents and purposes, as Town Collectors are authorized to Collect Town taxes—

And Be it further Enacted, that the said Collector, before he undertakes the Collection of any of the said tax, shall give Bond with sufficient surety to the County Treasurer for the County of Hillsborough in double the sum said assessment shall amount to, to account upon Oath to the General Sessions of the peace for said County, within three Years from the time of making said Assessment, for all monies by him received & labour performed, and that the same have been faithfully laid out & expended for the benefit of the public on the said roads & bridges in said Town of Antrim—

[CHAPTER 7.]

State of }
New Hampshire. }

AN ACT TO REPEAL THE LAWS HERETOFORE MADE RELATIVE TO
 COINED GOLD AND SILVER MONEY.

[Approved June 19, 1793. Original Acts, vol. 14, p. 7; recorded Acts, vol. 8, p. 164. This act repeals all former acts on this subject except that of September 1, 1781, Laws of New Hampshire, vol. 4, p. 420.]

Be it Enacted by the Senate and House of Representatives in General Court convened, that all the Laws of this State heretofore made relating to coined Silver & Gold, and the Rates at which they should pass, be, and the same are hereby Repealed—excepting An Act made and passed on the first day of September in the Year of our Lord one thousand, seven hundred and eighty one, entitled “an Act making Gold and Silver a tender for all debts; and for settling “the depreciation of the paper currency; and for the future Regulation of the Courts of Justice in this State.” which last mentioned Act is not hereby repealed, but shall Remain in full force—

[CHAPTER 8.]

State of }
New Hampshire. }

AN ACT TO COMPENSATE THE MEMBERS OF THE TWO HOUSES OF
 THE LEGISLATURE FOR THEIR SERVICES.

[Approved June 19, 1793. Original Acts, vol. 14, p. 8; recorded Acts, vol. 8, p. 165.]

Be it Enacted by the Senate and House of Representatives in General Court convened, that each member of the Senate have and receive for every mile's travel to and from the place of the sitting of the General Court the sum of four pence; and for every day's attendance during the sitting of said Court the sum of Six shillings— And that each Member of the House of Representatives have and receive for every mile's travel to and from the place of the sitting of said Court, the sum of four pence; And for every day's attendance during the sitting of said Court the sum of Six shillings; which respective sums shall be paid out of the Treasury of this State at the end of every session of the Court aforesaid.

[CHAPTER 9.]

State of }
New Hampshire. }

AN ACT FOR ALTERING THE TIME OF THE SUPERIOR COURT OF JUDICATURE SITTING, IN THE COUNTY OF STRAFFORD—

[Approved June 19, 1793. Original Acts, vol. 14, p. 9. Recorded Acts, vol. 8, p. 166. Laws, 1797 ed., p. 60. See act of June 21, 1792, id., p. 59; also act of December 15, 1796, id., p. 468.]

Whereas from the encrease of business it has become necessary, that a longer time should be allowed for said Court to set in the County aforesaid.—

Therefore be it Enacted by the Senate and House of Representatives in General Court convened, that the Superior Court of Judicature in future shall be holden annually at Dover in the County of Strafford on the first Tuesday of September instead of the second Tuesday of said month—

And that all writs, Executions, Indictments, Venires, Complaints, & informations; and all other pleas & processes now returnable to, and triable by said Court, be returned to, sustained, and determined by the Superior Court aforesaid, to be holden at Dover in said County of Strafford on the first Tuesday of September next; any Law usage or custom to the Contrary notwithstanding—

[CHAPTER 10.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED, “AN ACT FOR ARRANGING THE MILITIA INTO DIVISIONS;” AND IN ADDITION TO AN ACT ENTITLED, “AN ACT FOR FORMING & REGULATING THE MILITIA WITHIN THIS STATE, & FOR REPEALING ALL THE LAWS HERETOFORE MADE FOR THAT PURPOSE”—

[Approved June 19, 1793. Original Acts, vol. 14, p. 10; recorded Acts, vol. 8, p. 168. Laws, 1797 ed., p. 426; id., 1805 ed., p. 260. The acts referred to are dated December 27, 1792 and December 28, 1792, Laws, 1797 ed., pp. 411, 415. See act of December 22, 1808, Laws, 1815 ed., p. 287.]

Whereas, in the aforesaid Act “for arranging the Militia into divisions,” sundry towns were omitted; And Whereas, in the said Act “for forming and regulating the Militia within this State,” no particular person was authorized or directed to provide Standards and Regimental Colours for the several Battalions & Regiments in the same; Therefore, Be it Enacted by the Senate & House of Representatives in General Court convened, that the Company or Companies in the Town of Orford shall be considered as belonging to

the first battalion in the thirteenth regiment—And the Company or Companies in the Town of Trecothic shall be considered as belonging to the first battalion in the fourteenth regiment—

And the Company or Companies in the Town of Keene shall be considered as belonging to the Second battalion in the Twentieth regiment—

And the Inhabitants on lands adjoining the Towns of Franconia and Lincoln shall be considered as belonging to the first battalion in the twenty fourth regiment—And Be it further Enacted, that His Excellency The Governor cause to be provided, at the expense of the State, one Standard for each regiment, and one suit of regimental colours for each battalion—

[CHAPTER 11.]

State of }
New Hampshire. }

AN ACT TO SET OFF SUNDRY LOTS OF LAND FROM A PLACE CALLED KEAR SEARGE GORE IN THE COUNTY OF HILLSBOROUGH AND TO ANNEX THE SAME WITH THE INHABITANTS THEREON TO NEW LONDON IN SAID COUNTY—

[Approved June 19, 1793. Original Acts, vol. 14, p. 11; recorded Acts, vol. 8, p. 171.]

Whereas sundry Inhabitants of a place called Kear Searge Gore in the County of Hillsborough have petitioned the General Court, representing that they laboured under many, & great inconveniences by reason of their Situation, the badness of their roads, and their not having any Mills in said place Wherefore, they prayed that the Lots of land numbered Nineteen, Twenty, Twenty one, Twenty two, Twenty three, Twenty four, and Twenty five in the Northwesterly part of said Kear Searge Gore might be set off from the same & annexed to New London in said County of Hillsborough; The prayer of which petition appearing reasonable; Therefore, Be it Enacted by the Senate & House of Representatives in General Court convened that the aforesaid Lots of land numbered Nineteen, Twenty, Twenty one, Twenty two, Twenty three, Twenty four, & Twenty five in the Northwesterly part of said Kear Searge Gore, together with the Inhabitants thereon, Be, and they hereby are Set off from the Rest of said Kear Searge Gore, and annexed to said New London—

Provided Nevertheless, that the said last mentioned Inhabitants of said Kear Searge Gore shall be held with the other Inhabitants thereof to pay their proportion of all taxes which were, and are due, before, and at the passing of this Act in the same way and manner as if the same had never been made—

[CHAPTER 12.]

State of }
New Hampshire. }

AN ACT TO VEST IN JACOB HURD OF BATH HIS HEIRS & ASSIGNS THE PRIVILEGE OF KEEPING A PUBLIC FERRY OVER A CERTAIN PART OF CONNECTICUTT RIVER—

[Approved June 19, 1793. Original Acts, vol. 14, p. 12; recorded Acts, vol. 8, p. 179.]

Whereas Jacob Hurd of Bath in the County of Grafton and State aforesaid Esq^r hath petitioned the Gen^l Court Representing, that it would be of public Utility to have a ferry opened and kept over Connecticut River adjoining land of the said Hurd in the Town of Lyman, in the County aforesaid, and prayed that the Exclusive privilege might be Granted to him, his heirs and Assigns forever, and the prayer of said petition appearing reasonable, therefore be it Enacted by the Senate and house of Representatives in Gen^l Court Convened, that there be and hereby is granted to the said Hurd his heirs and assigns forever the Sole & Exclusive privilege of keeping a public ferry over said River, Beginning at the first falls therein which is below the intended place of keeping said ferry at the place and adjoining the said land of the said Hurd as aforesaid and Extending up said River two Miles from said falls.

And be it further Enacted that if any other person or persons Except said Hurd his heirs & Assigns shall for hire or reward transport over said River within the Limits aforesaid any person Creature or thing the person or persons so offending, shall forfeit to the owner of said ferry and pay him the sum of forty shillings for each offence to be sued for and recovered in any Court proper to try the same and a Copy of this act shall be received in Evidence,—And be it further Enacted that the Court of General Sessions of the peace for the County which does or hereafter may include said ferry, shall from time to time state the fees—

And the Court of General Sessions of the peace for the County of Grafton shall within one year from the passing this act State the fees and untill they shall be Altered as above directed, the same shall be deemed legal and according to law—

And be it further Enacted that said Hurd shall within one year from the passing this act give bond to the said Court of Sessions for said County of Grafton, that said ferry shall be well kept and Constantly Attended—

[CHAPTER 13.]

State of }
New Hampshire. }

AN ACT AUTHORIZING THE SALE OF CERTAIN REAL ESTATE BELONGING TO ERASTUS WRIGHT—

[Approved June 19, 1793. Original Acts, vol. 14, p. 13; recorded Acts, vol. 8, p. 182.]

Whereas Mary Wright Guardian to her son Erastus Wright hath petitioned, setting forth, that her son now is, & for some Time past, has been, a Cripple, and that great expence & charges had thereby accrued which she was unable to discharge, and prayed liberty to sell real Estate belonging to her said Son to discharge the aforesaid Expences, & for his Necessary Support;— which prayer appearing reasonable—

Be it enacted by the Senate & House of Representatives in General Court convened, that the Judge of Probate of Wills &c for the County of Cheshire, after hearing the parties concerned, be, and he is hereby authorized to grant Licence to the said Guardian, to sell and convey the Whole or such part of the Real Estate of her said Son as he the s^d Judge shall think proper—She the said Guardian giving Bond to the said Judge with Sufficient Surety to apply & account for the money raised by such Sale *for the purposes aforesaid* or account with the said Erastus when of full age, or in case of his death with the legal heirs of the said estate—

[CHAPTER 14.]

State of }
New Hampshire. }

AN ACT TO DIRECT THE SUPPORT OF THE BRIDGE, OVER EXETER RIVER, BETWEEN STRATHAM AND NEWMARKET.—

[Approved June 19, 1793. Original Acts, vol. 14, p. 14; recorded Acts, vol. 8, p. 185.]

Whereas the present Condition of said Bridge is such, as makes the immediate Repair thereof Necessary. And Whereas the very great Utillity of the said Bridge, to the Public, and the same being over a navigable River, and attended with an additional Expence by Reason of a Hoist for the Conveniency of Navigation; has induced the Counties of Rockingham and Strafford, respectively to make Grants, and many Persons in divers Towns have subscribed towards the support of the same; on Condition that the Towns of Stratham

and Newmarket give Bonds to support the same for the Term of Ten Years, which Condition the Town of Stratham not having complied with.—

Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened, that the Town of Stratham, shall Support and maintain that part of said Bridge that is within said Town—, in the same manner as their other Bridges, and High Ways: and in default thereof shall be subjected to the same Penalties, and liable to like Prosecution, as for neglect of Supporting, any other Bridge in said Town.—

And likewise the Town of Newmarket shall support and maintain, all other Parts of said Bridge, during the Term of Ten Years, according to their Agreement, in Consideration of said Grants and Subscriptions; and in default thereof shall be subjected to the like Prosecutions and Penalties.—

And all Grants and Subscriptions that have, or may be made to said Bridge, excepting any that may be made by the Town of Stratham, shall belong to, and be received by, the Town of Newmarket, in Consideration of their maintaining the Hoisting part of said Bridge as aforesaid.—

[CHAPTER 15.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER PISCATUQUA RIVER BETWEEN BLOODY POINT AND FURBERS FERRY SO CALLED AND FOR SUPPORTING THE SAME.—

[Approved June 20, 1793. Original Acts, vol. 14, p. 15. Recorded Acts, vol. 8, p. 173. See additional act of June 13, 1796, recorded Acts, vol. 10, p. 44; also act of December 4, 1800, recorded Acts, vol. 13, p. 71.]

Whereas a bridge over said River at the place above named, will be of public utility, and whereas Edward S^t Loe Livermore, Nathaniel Adams, John Hale, William Gardner, Jacob Sheafe, John Pierce, and others their Associates, have petitioned the General Court, for liberty to build the same, and to be incorporated for that purpose—

Be it therefore enacted by the Senate and House of Representatives in General Court convened, that the persons above named together with those, their Associates, who are or shall become proprietors in said bridge so long as they continue to be Proprietors thereof, shall be a Corporation and body politic, for the purposes aforesaid under the name of the Proprietors of Piscatuqua Bridge; and by that name may sue and be sued, to final Judgment and execu-

tion, and do and suffer all matters, acts, and things which bodies corporate, may or ought to do, or suffer; and the said Corporation shall and may have and use a common seal, and the same may break, renew, and alter, at pleasure.—

And be it further enacted, that the said Edward S^t Loe Livermore shall call a meeting of said Proprietors by advertisement in the New-Hampshire Gazette, to be holden at any suitable time and place after fourteen days from the first publication of said advertisement, and the proprietors by a vote of the majority of those present, or represented at said meeting, accounting and allowing one vote to each share in all cases, shall choose a Clerk who shall be sworn to the faithful discharge of said Office, and shall also agree on a method of calling future meetings, and at the same time, or any subsequent meetings may elect such Officers and make and establish such rules and bye-laws as to them shall seem necessary or convenient, for the regulation and government of said Corporation for carrying into effect the purpose aforesaid, and for collecting the Toll herein after granted and established, and the same rules and bye-laws may cause to be executed, and may annex Penalties to the breach thereof, not exceeding forty shillings for any one breach, provided the said rules and bye-laws are not repugnant to the Constitution and laws of this State; and all representations at any meeting of said Corporation shall be proved by writing, signed by the person to be represented, which shall be filed with the Clerk; and this act, and all rules, bye-laws, regulations and Proceedings, of said Corporation shall be fairly and truly recorded by the Clerk, in a book or books provided and kept for that purpose.—

And be it further enacted, that the Proprietors aforesaid, be and hereby are permitted and allowed to erect a bridge over Piscataqua river at the place aforesaid viz^t any where between said bloody point and Furbers ferry inclusively, and the said Proprietors are hereby empowered to purchase any lands adjoining said bridge and to hold the same in fee simple, and the share or shares of any of said Proprietors, may be transferred by deed duly executed acknowledged, and recorded by the Clerk of said Proprietors on their records.

And be it further enacted that for the purpose of reimbursing the said Proprietors, the money by them expended in building and supporting said Bridge; a toll be and hereby is granted and established for the benefit of said Proprietors, according to the rules following (namely) for each foot passenger, four cents, for each horse and rider, ten cents; for each horse and chaise, chair or sulkey twenty cents, for each Sleigh drawn by one horse fifteen cents, for each Sleigh drawn by more than one horse, twenty cents, for each Curricule, thirty cents, for each Coach, Chariot, Phaeton or other four wheeled carriage for passengers, forty cents, for each Cart or other carriage of burthen drawn by one beast, fifteen cents, for each Waggon, Cart, or other Carriage of burthen drawn by two beasts, twenty cents and

more than two, forty cents; for each Sledge drawn by one horse, twelve cents, if by two horses or a yoke of Oxen, sixteen cents, if by more than two horses or one yoke of Oxen twenty five cents, for each horse or neat Creature exclusive of those rode or in Carriages, five cents; for Sheep and Swine, one cent each, and to each team one person and no more shall be allowed as a driver to pass free of toll; and at all times when the toll gatherer shall not attend his duty, the gate or gates shall be left open—

And whereas said Proprietors have petitioned for a Grant of the Island called Goat Island and it appearing necessary in order to carry into effect said undertaking that said Grant be made—Therefore Be it enacted that all right, title, and interest of the said State of New Hampshire to said Island be and the same is hereby granted and vested in the Proprietors of Piscataqua bridge aforesaid to hold to them and their heirs & assigns—

And be it further enacted that the exclusive right of building and maintaining a bridge across said River Piscataqua any where between Waltons Point so called, being easterly of Knights or bloody point ferry and Nannys Island so called laying at the bottom of Great Bay above Furbers ferry, be and the same is fully granted to said Petitioners and such as are or may be associated with them and become Proprietors, their heirs and Assigns.

And be it further enacted, that if any tax or Assessment made by the said Corporation for compleating or repairing the said Bridge, on the several shares, shall be unpaid at the time limited for payment of the same, they may proceed to sell the delinquents share by public auction as the Proprietors may agree and determine, and if any overplus remains after paying the tax or assessment and charges, it shall be returned to the delinquent Proprietor.—

And be it further enacted, that a Draw or Hoist over some one of the Channels shall be constructed of such width as the Judges of the Supreme Court of Judicature shall direct, previous to the erection of said Bridge, not exceeding forty feet, so that Vessels may freely pass and repass through the same.—

And be it further enacted that if the aforementioned Bridge is not compleated fit for traveling in ten years from the time of passing hereof, this act and every clause thereof, shall be null and void.—

[CHAPTER 16.]

State of }
New Hampshire. }

AN ACT TO ALTER AND AMEND AN ACT PASSED THE TWENTY EIGHTH DAY OF DECEMBER ANNO DOMINI 1791. ENTITLED "AN ACT FOR THE INSPECTION OF POT AND PEARL ASHES"—

[Approved June 20, 1793. Original Acts, vol. 14, p. 16; recorded Acts, vol. 8, p. 188. Laws, 1797 ed., p. 384; id., 1805 ed., p. 364; id., 1815 ed., p. 430; id., 1830 ed., p. 227. For the act referred to, see Laws of New Hampshire, vol. 5, p. 824.]

Whereas the said Act is found insufficient to answer the end thereby intended— Therefore—

Be it Enacted by the Senate and House of Representatives in General Court convened. That his Excellency the Governor of said State for the time being, by and with the advice of Council, be, & he hereby is authorized and empowered to Appoint one Inspector of pot & pearl Ashes in Durham, one in Dover and one in Concord, and such other Inspectors in said State as he shall think necessary, and each inspector so appointed shall give Bonds to the Treasurer of said State in a Sufficient Sum for the faithful performance of his Duty—

And be it further Enacted that any Citizen of this State shall have liberty to export by water, without inspection, pot or pearl ashes to any port within the United States of America, he or they giving Bonds to some one of said Inspectors, in a reasonable Sum, that the Same shall be landed in some port within the said States—And that the said pot or pearl Ashes shall not by him or them be shipped for any foreign Market until the same shall be inspected—

And be it further Enacted, that each Inspector that shall be appointed by his Excellency the Governor with advice of Council, shall have & receive the same fees for inspection as mentioned in the former Act—

And be it further Enacted that it shall be the duty of each and every person transporting Pot or Pearl Ashes out of this State without Inspection, to produce to the Inspector to whom he gave Bonds within six Months from the date of his said Bonds, a Certificate from the proper Officer in some one of the United States that said Pot or pearl ashes transported as aforesaid has been duly inspected.

[CHAPTER 17.]

State of }
New Hampshire. }

AN ACT FOR ADJOURNING THE SUPERIOUR COURT OF JUDICATURE IN THE COUNTY OF GRAFTON

[Approved June 20, 1793. Original Acts, vol. 14, p. 17; recorded Acts, vol. 8, p. 191. See act of June 20, 1794, Laws, 1797 ed., p. 63.]

Whereas the time allowed by Law for the Sitting of the said Court in the County of Cheshire is found by experience Insufficient for transacting the necessary business before the said Court—

Therefore

Be it Enacted by the Senate and House of Representatives In General Court Conven'd, that the Said Superiour Court which by Law is appointed to be holden at Haverhill in the Said County of Grafton on the fourth Tuesday of October next is hereby adjourn'd until the last tuesday of the same month, and that all writts; processes, venires and precepts that are Returnable to the said Court which by law was to be holden on the said fourth tuesday of October, shall be Returned to and sustained by the Said Court which is to be holden on the Last tuesday of October next any Law usage or custom to the Contrary Notwithstanding—

[CHAPTER 18.]

State of }
New Hampshire. }

AN ACT TO ENABLE RICHARD JENNESS, SIMON JENNESS AND THOMAS JENNESS ADMINISTRATORS OF THE ESTATE OF RICHARD JENNESS ESQUIRE DECEASED TO REVIEW A CERTAIN ACTION.—

[Approved June 20, 1793. Original Acts, vol. 14, p. 18; recorded Acts, vol. 8, p. 193. See act of June 21, 1797, granting a new trial, recorded Acts, vol. 10, p. 255.]

Whereas Richard Jenness Simon Jenness and Thomas Jenness administrators of the estate of Richard Jenness late of Rye in our County of Rockingham Esquire deceased did some years since petition the General Court setting forth that a judgment had been rendered against said administrators on a report of Referees in favour of James Seavey of said Rye Gentleman in an action of the Case commenced against them by said Seavey in the Inferior Court holden at Exeter in & for the County of Rockingham on the second tuesday of August One thousand seven hundred and eighty six, and that it hath since appeared from evidence, not then in the power of the

said administrators to obtain , that the said Judgment was erroneous, and praying leave to re-enter their said action in said Inferior Court of Common Pleas and to prosecute the same to final Judgment and execution in the same manner as if said action was then by law open to review, which prayer appearing reasonable, the general Court did in the year seventeen hundred and ninety pass an act authorizing and empowering the said administrators in their said capacity to re-enter the aforesaid action in the then next inferior Court of Common Pleas that should be holden in said County of Rockingham authorizing and empowering said Court to take cognizance of hear try and determine said action as though the former judgment rendered on the aforesaid report of Referees had not been intended to be final—And empowering said administrators to make any new pleadings in said action and in all other respects to proceed in and defend said action in their aforesaid capacity as fully and in the same manner as if said action had been brought on trial by review in the ordinary course of law, and enacting among other things, that all proceedings had upon the judgment on said report should be and thereby were declared to be rendered null and void—

And whereas said Administrators have again petitioned this Court shewing that they in pursuance of the act aforesaid entered said action at the Inferior Court of Common Pleas, and again referred the same— And that by the persuasion of the referees & a promise— of the said Seavey that the action should be carried to the Superior Court and their be tried by a jury, said administrators consented to take back the papers from said Referees after they had heard the cause— That said rule was then discharged and the action carried to the Superior Court held at Portsmouth in said County— And on the fourth tuesday of September 1792 when said Court dismissed the action considering said Act as unconstitutional and thereby said petitioners have been prevented from obtaining the benefit intended by said law: Wherefore they pray that an Act may be passed empowering them to review said action in the same manner as if said action could now be reviewed in the common and ordinary course of law, & to make any necessary pleadings, in order that the merits thereof may be tried by a jury: Which prayer upon a full hearing of the parties appearing just and reasonable

Therefore.

Be it enacted by the Senate and House of Representatives in General Court convened, That the said Richard Jenness Simon Jenness and Thomas Jenness in their aforesaid capacity be and they hereby are empowered and authorized to enter the aforesaid action of review at the next superior Court of Judicature to be holden in and for said County of Rockingham —

And be it further enacted that the said James Seavey at said term, or at any other term at which said cause may be pending before said Superior Court of Judicature , may file a new declaration

or declarations against the said administrators upon any demand which he has against the estate of the said Richard Jenness Esquire deceased, if any he has, in addition to those declared on in the original action aforesaid.—

And be it further enacted that the aforesaid Richard Jenness Simon Jenness & Thomas Jenness in their said capacity be and hereby are empowered & authorized at said term or at any other at which said cause is pending before said Court to make any new plea or pleadings to the demands declared on in said action & to any other demands that the said Seavey may in pursuance of this act file against the said administrators for any demands that he has against the estate of said deceased, and in all respects to proceed in and defend said action of Review in their said capacity as fully & in the same manner as if said Cause had never been referred, or any report made or judgment rendered therein & as if the Judgment aforementioned had been given on the verdict of a Jury, that so the merits of said demands may be tried by their country.—

And be it further enacted, That the Justices of said Court be and hereby are authorized & empowered to sustain said action of review and render judgment thereupon either upon the verdict of a jury, the nonsuit of the plaintiffs, default of defendant, or upon the pleadings, and to issue execution accordingly at said term, or at any other term to which it may be continued in as full and ample a manner as if said action was reviewed in the ordinary course of the law by both parties— And upon said trial the damages aforesaid may be encreased or diminished, or costs may be given for said administrators as said Court & jury may determine— & that the Justices of said Court be & hereby are fully authorized & empowered to award all reasonable costs for or against either party, not only in the review but the costs of the former Courts, & costs of References as to said Court shall appear just & right.

And be it further enacted, That the said Richard Jenness Simon Jenness & Thomas Jenness shall produce at the trial authenticated copies of the whole case as by law is required in cases of review.—

[CHAPTER 19.]

State of }
New Hampshire. }

AN ACT TO AUTHORISE SARAH COCHRAN, OR HER AGENT TO MAKE AND EXECUTE A GOOD AND VALID DEED OF CERTAIN LANDS IN LONDONDERRY, BELONGING TO THE ESTATE OF JOHN COCHRAN DEC^d—

[Approved June 20, 1793. Original Acts, vol. 14, p. 19; recorded Acts, vol. 8, p. 201.]

Whereas Sarah Cochran of Saint-Johns in the Province of New Brunswick in British America, hath petitioned the general Court, representing that she is Administratrix of the estate of her late husband John Cochran of said Saint Johns dec^d, that she hath taken out letters of Licence from the Judge of probate of wills &c within the aforesaid Province— To sell and convey all the Estate of said dec^d, more especially a certain tract of land, situate in said Londonderry— Wherefore she prayed that she might be enabled to make and execute, by herself or her Agent, duly appointed a good and valid deed of the land aforesaid in said Londonderry — The prayer of which petition appearing reasonable. Therefore be it enacted by the Senate and house of Representatives in General Court convened, that the said Sarah Cochran, be and she hereby is authorised and empowered to sell, and make and execute by herself or her Agent duly appointed a good and valid deed of the lands aforesaid, situate in said Londonderry, she the said Sarah or her Agent giving bonds with sufficient surety to the Judge of probate for the County of Rockingham, to account to the said Judge for the money arising on such sale, or to the creditors of said deceased or his heirs when they shall arrive to full age or otherwise to such person or persons, to whom of right it may belong.—

[CHAPTER 20.]

State of }
New Hampshire. }

AN ACT TO ANNEX CERTAIN LANDS, HEREIN MENTIONED, TO THE TOWN OF PLYMOUTH—

[Approved June 21, 1793. Original Acts, vol. 14, p. 20; recorded Acts, vol. 8, p. 203.]

Whereas the Inhabitants of Plymouth have petitioned the General Court, praying that a certain Tract of Land bounded as follows (viz) beginning at the Point where Blanchards Line (so called) intersects the line, which a Committee appointed by the General

Court in October in the Year of our Lord seventeen hundred and eighty, for the Purpose of surveying and establishing the Bounds of certain Towns in the Counties of Grafton and Strafford, run and established as the division-line between Plymouth and Campton; and running westerly on the line last mentioned to the north easterly corner of Hebron, thence northerly, on Rumney line, to the said Blanchards line, and thence easterly to the Bound first mentioned; be separated from the Towns of which the same is now a part; and be made a Part of the aforesaid Town of Plymouth; which appears reasonable— and Whereas Nathaniel Peabody Esquire hath represented to the General Court that, he is the owner of a certain Tract of land known by the name of the Everett-Farm and the Withey Lot, which will be so divided by the aforesaid lines as to render the same considerably less valuable; and hath prayed that the whole of said Everett-Farm and Withey-Lot may be annexed to Plymouth aforesaid, together with the land above described, which also appears reasonable therefore

Be it enacted by the senate and House of Representatives in General Court convened, that the land above described together with the said Everett-farm and Withey-lot, be and the same hereby are separated from the Towns of which they are a part and that the same be annexed to and forever hereafter be considered to be a Part of the Town of Plymouth and that the Inhabitants and Owners of the lands aforesaid be, and they hereby are enfranchised with all the Priviledges and Immunities and subjected to all the Duties which the Inhabitants and Owners of Land in said Plymouth are or hereafter may be—And the Inhabitants of said lands and their Successors shall in every Respect be considered Members of the same Corporation to which the present Inhabitants of Plymouth belong any law to the contrary notwithstanding—

[CHAPTER 21.]

State of }
New Hampshire. }

AN ACT TO EMPOWER THE GOVERNOR, WITH ADVICE OF COUNCIL
TO DO CERTAIN ACTS.—

[Approved June 21, 1793. Original Acts, vol. 14, p. 21; recorded Acts, vol. 8, p. 207. Laws, 1805 ed., p. 392; id., 1815 ed., p. 44; id., 1830 ed., p. 43.]

Whereas doubts have arisen whether the Governor with advice of Council can execute certain laws and resolves of the Legislature, empowering the president under the former constitution with advice of Council to carry the same into effect.

Therefore be it Enacted by the Senate and house of representatives in General Court convened that the Governor by himself, or

with the Council, as the case may be. Be and hereby is invested with all the rights and powers respecting issues of money, appointment of Officers, or any other matter or thing whatsoever, which were vested in, or committed too the president, or president and Council under the former Constitution, by virtue of any Laws, resolves or votes heretofore passed not otherwise provided for in and by the Constitution now in force.—

[ORDERS, RESOLVES AND VOTES OF A LEGISLATIVE NATURE PASSED DURING THIS SESSION.]

1793, June 11

The Committee to prepare a rule to be observed by this House explanatory of a Clause in the Constitution respecting Members taking fees being of Council &c reported the following as fully explanatory of said clause (viz) That no member of this House shall either directly or indirectly take any fee or reward for bringing forward or Supporting any petition or motion before the Legislature or either branch of the Same or Committee thereof and by his receiving the Same or accepting any promise or compensation therefor he shall forfeit his seat in the House—

Which report being read and considered voted that it be received and accepted and that the same be adopted by this House as an additional rule—

[House Journal, 1790-94, p. 514.]

1793, June 20

Whereas his Excellency the Governor is authorized to procure Standards and Regimental Colours for the Several Regiments of Militia in this state and no provision being made for defraying the expence of the Same— Therefore be it resolved that his Excellency the Governor with advice of Council be empowered to draw out of the Treasury of this state such sum or sums of money as they shall think necessary for defraying the expences of procuring such standards and colours provided they exceed not the Sum of fifteen hundred dollars—

[House Journal, 1790-94, p. 557. Senate Journal, 1791-6, p. 162.]

[*Second Session, Held at Exeter, December 25, 26, 27, 28, 30, 31, 1793; January 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31; February 1, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 1794.*]

[CHAPTER 1.]

State of }
New Hampshire. }

AN ACT TO SET OFF SUNDRY INHABITANTS OF THE TOWN OF SWANZEY, WITH A CERTAIN DISTRICT OF LAND FROM SAID SWANZEY, AND ANNEX THE SAME TO THE TOWN OF MARLBOROUGH IN THE COUNTY OF CHESHIRE—

[Approved January 8, 1794. Original Acts, vol. 14, p. 22; recorded Acts, vol. 8, p. 208.]

Whereas sundry of the Inhabitants of the Town of Swanzeay in the County of Cheshire, have petitioned the General Court that they, with a certain district of land on which they live, laying in the Northeasterly part of said Swanzeay may be set off from said Swanzeay, & annexed to Marlborough; and the Inhabitants of said Swanzeay have, in public town-meeting duly assembled for that purpose, manifested their consent thereto; and the Inhabitants of said Marlborough have in like manner manifested their Consent to the same; and the prayer of said Petition appearing reasonable—Therefore,

Be it Enacted by the Senate and House of Representatives in General Court convened, that the district of Land aforesaid, bounded as follows, to wit, beginning at a heap of Stones which is the Southeast corner of the Town of Keene; then running on the line of said Keene west eight degrees north thirty two rods to the old corner of Swanzeay; then running south thirty four degrees west on Swanzeay old line four hundred and eighteen rods to a white pine tree; then running east twenty degrees and thirty minutes south, on common land two hundred and twelve rods to a Stake and Stones in the Patent line; then running on the patent line north nine degrees thirty minutes [east four hundred and eighteen] rods to the first mentioned corner; [containing three] hundred and five Acres—with all the [Inhabitants on said] tract of Land be and they hereby are [set off from Swanzeay,] and annexed to said Marlborough—

Provided nevertheless, that the [Inhabitants aforesaid,] set off as aforesaid, shall be held, with [the other inhabitants of] said Swanzeay, to pay their proportion of all taxes which may be due from them at the time of passing this Act, in the same manner as if this Act had not been passed—

The lines enclosed in brackets were copied from the recorded act as they were missing from the original act.—Ed.

[CHAPTER 2.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT INTITLED "AN ACT TO INCORPORATE
A TOWN BY THE NAME OF SULLIVAN."—

[Approved January 10, 1794. Original Acts, vol. 14, p. 23; recorded Acts, vol. 8, p. 212. The act referred to is dated September 27, 1787, Laws of New Hampshire, vol. 5, p. 281.]

Whereas by an act of the General Court passed in the year of our Lord one thousand seven hundred and eighty nine, a town was incorporated by the name of Sullivan, in the County of Cheshire in said State, and in and by said act the lines and boundaries of said town are fixed and determined; and whereas the said lines in the act of incorporation aforesaid mentioned will not meet & come to a point, as by said act was intended. Therefore,

Be it enacted by the Senate and house of Representatives in General Court convened, That the west line of said town of Sullivan be lengthened out and continued, south, into the town of Keene in said County, one hundred and fifty seven rods, further than by said act of incorporation, said line is extended: thence east twenty eight degrees and thirty minutes south to the east line of said Keene, thence north on said line to the bounds first mentioned in said act of incorporation.—

[CHAPTER 3.]

State of }
New Hampshire. }

AN ACT FOR PROTECTING BENJAMIN SMITH—

[Approved January 10, 1794. Original Acts, vol. 14, p. 24; recorded Acts, vol. 8, p. 214.]

Whereas it has been represented to the General Court, that Benjamin Smith of Newbury in the County of Essex & Commonwealth of Massachusetts Black smith is under a necessity of attending before Referrees in Exeter this Month— And that his embarrassed situation is such as would render him liable to be arrested on civil process, unless protected—

Therefore

Be it enacted by the Senate and House of Representatives in General Court convened that the said Benjamin Smith be exempted from all arrests on civil process during the present Session of the General Court, & on his journey from, & to, the line of this State. any law usage or custom to the contrary notwithstanding—

[CHAPTER 4.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE SOUTHWESTERLY PART OF AMHERST, THE NORTHWESTERLY PART OF HOLLIS, THE MILE SLIP AND DUXBURY-SCHOOL-FARM INTO A TOWN, AND TO INVEST THE INHABITANTS THEREOF WITH ALL SUCH PRIVILEGES AND IMMUNITIES AS OTHER TOWNS IN THIS STATE HOLD AND ENJOY.—

[Approved January 11, 1794. Original Acts, vol. 14, p. 25; recorded Acts, vol. 8, p. 224.]

Whereas a petition, signed by a number of the inhabitants of the southwesterly part of Amherst, the northwesterly part of Hollis, the mile-slip and Duxbury-school-farm (so called), has been preferred, setting forth, that, by an act of incorporation, passed by the legislature of this State, on the first day of June, in the year of our Lord, one thousand, seven hundred and ninety two, the southwest part of Amherst aforesaid, was, by certain boundaries, therein described, made a parish; that the tract of land therein contained, is too small for a town; that the inhabitants of Mile-slip and Duxbury-school-farm aforesaid, are unable to support the gospel, build bridges & maintain schools; that a number of the inhabitants of the northwesterly part of said Hollis could be better accommodated, by being annexed to the said Southwest parish in Amherst.—

They, therefore, prayed, that they might be incorporated and made a body politic with all the corporate powers and privileges, by law, vested in other towns: And the inhabitants of the town of Amherst, in legal town meeting, having voted their assent to the same—

Therefore,

Be it enacted by the Senate and house of Representatives in General Court convened, that all the lands & inhabitants within the following limits—viz^t, Beginning at the southwest corner of the northwest parish in Amherst aforesaid, on Lyndborough east line, thence running easterly to the northeast corner of Amos Green's lot, called the mill lot; thence southerly on a straight line to the southwest corner of lot number twenty; thence easterly on the range line to the northeasterly corner of William Peabody's land; thence southerly on the range line between John Shepard Esquire's and William Peabody's land, until it comes to land belonging to the heirs of John Shepard late of said Amherst, deceased; thence easterly to the northeast corner of the same, joining to land of the said John Shepard Esquire, thence southerly by land of John Shepard Esq^r aforesaid, on the range line to Sowhegann-river; thence down the middle of the same, till it strikes land owned by Benjamin and Stephen Kendrick;

thence southerly by said Kendricks land, to the road leading from David Danforth's to the town of Wilton; thence crossing the same and running a south point to Hollis line, being near David Dunclee's house, and then to the north east corner of the land lately laid off from said Hollis by their committee appointed for the above purpose; thence running south about twelve degrees east so as to strike the northeast corner of John Starns's land it being the northwest corner of Robert Colburne's land, thence on the same course until it comes to the southeast corner of the said Starns's land; thence westerly by said Starns's and William Hale's land, until it comes to the northwest corner of said Hale's land; thence westerly to the north east corner of Mr. Gould's land, and so on westerly by said Gould's and David Danforth's land to said Gould's northwest corner, thence turning southwesterly to the south east corner of Robert Durrah's land; thence west fifteen degrees south until it comes to Raby east line; thence northerly on said Raby east line, until it comes to the south line of said Amherst; thence westerly on the north line of said Raby to the southwest corner of Amherst, thence southerly by the west line of said Raby to the southeast corner of the mile-slip; thence westerly to the southwest corner thereof; thence northerly on the east lines of Mason and Wilton to the northwest corner of the mile slip; thence easterly on the south line of Lyndborough to the south east corner thereof; thence northerly by the east line of Lyndborough to the bounds first mentioned, Be, and the same are hereby incorporated into a town by the name of Milford, and the inhabitants who reside and shall hereafter reside within the before mentioned boundaries, are made and constituted a body politic and corporate and invested with all the powers, privileges & immunities which towns in this State by law are intitled to enjoy, to remain a distinct town, & have continuance and succession forever.

And be it further enacted, That Augustus Blanchard Esquire be and he hereby is authorized & empowered to call a meeting of said inhabitants for the purpose of choosing all necessary town officers, and shall preside therein until a moderator shall be chosen to govern said meeting, which shall be warned by posting up notice therefor, at the meeting house in said Milford, fourteen days prior to the day of holding the same. And the annual meetings for the choice of town officers, shall be holden on the first tuesdays of March annually.

Provided always, That nothing in this act contained shall in any wise release the inhabitants of the said southwest parish in Amherst (part of said town of Milford), from paying their proportion of all debts now due from the town of Amherst, or their proportion of the support of the present poor of said town & parish or any taxes now assessed on them as inhabitants of said town of Amherst, but the same may be levied and collected from the inhabitants of the said Southwest parish (now part of Milford as aforesaid) in the

same way and manner as if this act had not been passed; and the present inhabitants of the said northwesterly part of said town of Hollis shall be liable to pay all taxes heretofore assessed on them as inhabitants of the town of Hollis in the same way and manner as if this act had not been passed.—

[CHAPTER 5.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER MERRIMAC RIVER BETWEEN THE COUNTIES OF ROCKINGHAM & HILLSBOROUGH AND FOR SUPPORTING THE SAME.—

[Approved January 11, 1794. Original Acts, vol. 14, p. 26; recorded Acts, vol. 8, p. 215.]

Whereas the erecting a Bridge over Merrimac River between the towns of Salisbury and Northfield in said State, near Cross's ferry (so called) will be of great public convenience, and whereas Charles Glidden Esquire and others have presented a petition to the General Court, praying that they and such as may associate with them may be incorporated for the purpose of building said Bridge, with power to collect reasonable toll for their compensation.

Therefore

Be it enacted by the Senate and house of Representatives in General Court convened, That the said Charles Glidden, Jonathan Eastman, Jeremiah Clough, Obadiah Clough, Chandler Lovejoy, Peaslee Badger, Ebenezer Eastman, Timothy Bradley, David McCrellis and Thomas Cross, and such other persons as may associate with them for that purpose, their heirs and assigns, be and they hereby are made and constituted a corporation and body politic for the purpose aforesaid, by the name of the proprietors of Northbury bridge and by that name may sue and be sued to final judgment and execution and also have all the corporate powers and authorities necessary for carrying the proposed design into effect, and the said corporation may and shall have and use a common seal, and the same may alter and break at pleasure.—

And be it further enacted, That the proprietors aforesaid be and they hereby are permitted and allowed the exclusive right and privilege of erecting a Bridge over Merrimac river, aforesaid, any where within three miles of said Cross's ferry.—

And be it further enacted, That Cap^t Jonathan Eastman be and he hereby is authorized to call a meeting of said proprietors, giving fifteen days notice by advertisement in any of the newspapers printed in the County of Rockingham, and the proprietors aforesaid

by a majority of those present or duly represented at the said meeting, allowing and counting one vote for each single share in all cases (provided however, that no one proprietor shall be allowed more than four votes) may and shall choose a Clerk who shall be sworn to the faithful discharge of his said office; and shall also agree on a method of calling future meetings and at the same or any subsequent meeting or meetings may elect such officer or officers and make & establish such rules and bye laws from time to time as they shall deem necessary or convenient for the regulation and government of the said corporation for carrying into effect the purpose aforesaid, and for collecting the toll hereinafter granted and established, and the same rules & bye laws may cause to be executed, and may annex penalties to the breach thereof, not exceeding six dollars for each offence, provided the said rules & bye laws be not repugnant to the constitution and laws of this State. And all representations at any meeting of the said corporation shall be filed by the Clerk, and this act and all rules & bye laws, regulations and proceedings shall be fairly and truly recorded by the said Clerk in a book or books to be provided and kept for that purpose.—

And be it further enacted, That for the purpose of reimbursing the said proprietors the money by them to be expended in building & supporting said bridge a toll be and hereby is granted and established for the sole benefit of the said proprietors, according to the rates following (viz^t) For each foot passenger one cent; for each horse and rider three Cents; for each horse and chaise, chair or sulkey ten cents; for each riding sleigh drawn by one horse three cents, by more than one horse five cents; for each coach, chariot, phaeton or other four wheel carriage for passengers twenty five cents; for each cart or carriage drawn by one beast nine cents, for each cart or other carriage of burthen drawn by two beasts twelve cents and by more than two twenty cents, for each horse without a rider, and for neat cattle two cents each, for sheep and swine half a cent each; And one person and no more shall be allowed to each team as a driver to pass free of toll and at all times when the toll gatherer shall not attend his duty the gate or gates shall be left open, and the said toll shall commence on the second day of the first opening of said Bridge for passengers, & shall continue forever. Provided nevertheless that after forty years from the passing this act the Justices of the Superior Court of Judicature shall from time to time make such alterations in the rates of toll to be received as aforesaid as to them shall appear to be just and equitable and the same shall be collected accordingly.—And at the place where the toll shall be received there shall be erected and constantly exposed to view a sign or board with the rates of toll of all tollable articles fairly and legibly written or painted thereon in large or capital Letters.—Provided notwithstanding and it is to be always understood that in consideration of Henry Gerrish Esquire's giving up and

relinquishing to the said proprietors the right and privilege of building & erecting said proposed bridge over Merrimac river between Salisbury and Northfield aforesaid, within the limits of the said Henry's grant of a ferry, near Cross's ferry aforesaid; the said proprietors are to permit and grant to the said Henry Gerrish his heirs and assigns living in the house now occupied by the said Henry in the town of Boscawen, and all those in his and their immediate employ the right of passing & repassing said bridge with horses, cattle and all kinds of carriages belonging to said Gerrish, free of toll, so long as the said proprietors their heirs and assigns shall continue proprietors thereof.—And it is further provided, that, for the consideration above mentioned the said proprietors are to provide, make, lay out and open at the expence of the said proprietors, in the most convenient place, a road proper for teams to pass from said bridge to the said Henry's farm in Northfield aforesaid.—

And be it further enacted, That the proprietors aforesaid be and they hereby are authorized and empowered to purchase and hold to them and their successors forever, so much land and real estate, as may be necessary for the purpose aforesaid not exceeding the value of one thousand Dollars.—

And be it further enacted, That if the proprietors aforesaid shall refuse or neglect for the space of three years, after the passing this act, to build & complete said bridge, so as to be passable in manner aforesaid then this act shall be void & of none effect.—

And be it further enacted, That in order to prevent any designing persons from evading the true intent and meaning of this act, that if any person or persons shall double or put together two or more teams, or put any cart sled or other carriage drawn to said bridge by any beast or beasts, into or upon any other Cart, sled or other carriage to take or convey the same over said bridge, the proprietors aforesaid be and they hereby are authorized to demand & receive of the person driving such cart, sled or other carriage the same toll as herein before granted & allowed, for every cart, sled or other carriage drawn by a single beast so put into or drawn upon any other carriage as aforesaid—Provided also that in such case the driver aforesaid shall pay to the proprietors aforesaid four cents for each pair of oxen above two pair and two Cents for each horse above two horses so drawing said carriages.—

[CHAPTER 6.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AND ALTERATION OF AN ACT INTITULED AN ACT IMPOWERING THE SELECT MEN OF BARNSTEAD IN THE COUNTY OF STRAFFORD TO ASSESS AND LEVY ON THE LANDS IN SAID BARNSTEAD TWO PENCE ON EACH ACRE FOR THE PURPOSE OF REPAIRING THE BRIDGE OVER SUNCOOK RIVER AND ALSO CERTAIN HIGHWAYS IN SAID TOWN—

[Approved January 15, 1794. Original Acts, vol. 14, p. 27; recorded Acts, vol. 8, p. 231. The act referred to is dated June 16, 1792, recorded Acts, vol. 6, p. 536. See additional act of June 17, 1796, recorded Acts, vol. 10, p. 13.]

Whereas the Ihabitants of the Town of Barnstead have Petitioned the General Court setting forth that an act passed the Legislature of said State in June 1792 authorising the select men of said Barnsted to assess a tax of two pence p^r acre on all the lands in said Town improved and unimproved for the purpose of building a Bridge across suncook river and for repairing public roads in said Town but by reason of said act's allowing but sixty pounds to be laid out on said Bridge the good purposes thereby intended will not be answered Wherefore they prayed that the above mentioned act may be so altered as that they may have liberty to lay out Ninety pounds on said Bridge and that a Further time of two years be allow^d them for making the assessment and compeating the business which appearing Reasonable—

Therefore be it Enacted by the Senate and house of Representatives in General Court convened that the Select men of said Barnstead be and they hereby are authorised and impowered to lay out Ninety pounds in Repairing said Bridge in lieu of sixty pounds as limited in said act and that they have a further time of two years allowed in addition to the several terms mentioned in the aforesaid act—

[CHAPTER 7.]

State of }
New Hampshire. }

AN ACT TO PREVENT DAMAGES BEING DONE ON SALT MARSHES IN
 HAMPTON, HAMPTON-FALLS SEABROOK AND SOUTH-HAMPTON—

[Approved January 15, 1794. Original Acts, vol. 14, p. 28; recorded Acts, vol. 8, p. 234. Laws, 1797 ed., p. 410; id., 1805 ed., p. 348; id., 1815 ed., p. 399; id., 1830 ed., p. 191. See act of June 12, 1789, Laws of New Hampshire, vol. 5, p. 443; act of June 18, 1793, recorded Acts, vol. 8, p. 152; December 13, 1808, Laws, 1815 ed., p. 400.]

Whereas many owners of Salt Marshes within this State have suffered great damage from trespasses committed thereon, by persons clandestinely taking and carrying off from thence by Night a certain Weed (called Flatts-weed) for the purpose of Manure which is the natural produce of the Marsh and necessary to preserve and fertilize its Native soil whereby the said Marshes are greatly damaged.—

Therefore be it enacted by the Senate and House of Representatives in General Court convened— that if any person or persons shall hereafter be found guilty of Raking Collecting or Carrying off from any of the said Marshes or Flatts in Hampton, Hampton-falls Seabrook or South-Hampton any such Weed without leave first obtained from the Owner or Owners thereof, or shall aid and Assist therein, every such Offender for every such trespass shall on conviction thereof forfeit and pay treble damages to the party or parties injured thereby and Also a sum not exceeding Forty Shillings One Moiety thereof to the informer, the other to the party or parties injured Which damages and forfeitures shall be recovered by Action before any Justice of the peace if the penalty or damage exceed not Forty shillings, but if it be above that sum, then before the Court of Common-pleas—

[CHAPTER 8.]

State of }
New Hampshire. }

AN ACT, TO SET OFF JOSEPH PUTNAM FROM THE SOCIETY LAND, SO
 CALLED, AND INCORPORATE HIM & HIS ESTATE WITH THE TOWN
 OF HANCOCK.

[Approved January 16, 1794. Original Acts, vol. 14, p. 29; recorded Acts, vol. 8, p. 236.]

Whereas Joseph Putnam of the Society Land, so called, in the County of Hillsborough hath presented a Petition to the General

Court setting forth that he labours under many inconveniences by reason of his Lands lying in and being subject to be taxed in different places, and praying that he with his Estate may be Set off & Incorporated, with the Town of Hancock, & no objection being made, and the prayer thereof appearing reasonable—

Therefore, Be it enacted by the Senate & House of Representatives in General Court convened that the said Joseph Putnam together with his Estate which is bounded as follows, to wit, Beginning at the South West corner of said Putnam's Land on the line of Hancock & running East Twenty five rods to the South East corner of said Putnam's Land being a tree marked, thence North about three hundred rods to the River, from thence by the line of said Hancock to the first mentioned bound, Be and hereby is set off to & incorporated with the said Town of Hancock, and that in future the said Putnam shall be considered as belonging to said Hancock, any Law Usage or Custom to the contrary notwithstanding.

[CHAPTER 9.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AND AMENDMENT OF AN ACT INTITLED "AN ACT TO INCORPORATE CERTAIN PERSONS FOR LOCKING FALLS, CUTTING CANALS AND BUILDING A BRIDGE OVER CONNECTICUT RIVER."—

[Approved January 21, 1794. Original Acts, vol. 14, p. 30; recorded Acts, vol. 8, p. 238. See act of June 20, 1792, recorded Acts, vol. 6, p. 541; act of December 8, 1796, id., vol. 10, p. 166.]

Whereas Ebenezer Brewster has preferred a petition to the General Court for himself and associates setting forth that by an act of the legislature of this State, passed in the year of our Lord, one thousand seven hundred and ninety two, the said Ebenezer Brewster, Aaron Hutchinson and Rufus Graves with their associates, were incorporated for the purpose of erecting a bridge over Connecticut river between the mouth of Mink-brook (so called) and the eddy below the lower bar in white-river-falls, and for cutting canals and locking the falls within the limits aforesaid. That in & by said act of incorporation the proprietors aforesaid are not empowered to appropriate the lands of private persons (as in the case of high ways) for carrying into effect any of the purposes aforesaid. That they have not thereby the exclusive right and privilege vested in them their heirs and assigns of erecting and maintaining said bridge, cutting said canals and locking said falls within the aforesaid limits. He therefore prayed that the said act of incorporation might be altered and amended for the aforesaid purposes, & that the bounds in said act of incorporation, for erecting said bridge might be so far

extended, as that the said proprietors might have the privilege of building said bridge over Connecticut river any where between the mouth of white river (so called) and two miles north of Mink brook aforesaid.—

Therefore

Be it enacted by the senate and house of representatives in General Court convened, That if at any time the proprietors aforesaid, their heirs or assigns, shall find it necessary to make use of the lands of private persons in the prosecution of the purpose of cutting the canals and locking the falls aforesaid, for roads, towing paths and other purposes necessary to the full enjoyment of the privileges aforesaid, and shall make application to the selectmen of the town in which such lands ly, to lay out or cause to be laid out such lands, the said Selectmen are hereby authorized and empowered to lay out the same accordingly: Provided that in case any of said selectmen shall be owners of said lands or any part thereof, so to be laid out, the other selectmen or selectman of such town (as it shall happen) shall have the power aforesaid; and the same authority shall be exercised by the selectmen or selectman as aforesaid, and by the Court of general Sessions of the peace for the County of Grafton (if necessary) in determining the damages so sustained, as is by law provided in cases of laying out Roads.—

And be it further enacted, That the proprietors aforesaid their associates, heirs and assigns, be and they hereby are invested with the exclusive right and privilege of erecting said bridge over Connecticut river aforesaid, any where between the mouth of said white-river and two miles north of Mink-brook aforesaid, within the time limited in said act of incorporation, and said privileges shall & may enjoy forever.—Provided notwithstanding and Be it further enacted, That the proprietors aforesaid their associates, heirs and assigns, in building & completing said bridge, shall not interfere with the grant of a ferry heretofore made to the Trustees of Dartmouth College, within the limits aforesaid.—

[CHAPTER 10.]

State of }
New Hampshire. }

AN ACT TO AUTHORIZE MOSES ATWOOD TO SELL CERTAIN LANDS AND BUILDINGS—

[Approved January 21, 1794. Original Acts, vol. 14, p. 31; recorded Acts, vol. 8, p. 243.]

Whereas Moses Atwood has Petitioned the General Court representing that he is Guardian for Henry Wodly of Hampstead in the County of Rockingham a minor that some years ago Thomas Wodly

father of the said Henry died, seized and possessed of certain real Estate lying and being in the Town of Hampstead consisting of Lands and buildings part of which by the will of said deceased is the property of the said Henry, that said buildings and fences are on the decay and that in the Opinion of the Petitioner and the friends and brothers of the said Henry it would be much to his advantage to have the real Estate sold and the money put on Interest, and prayed for liberty to sell and convey the same accordingly— which facts being substantiated and the prayer of the Petition appearing reasonable— Therefore

Be it Enacted by the Senate and House of Representatives in General Court convened that the said Moses Atwood be and he hereby is fully authorized to sell at public vendue the real Estate of said Minor for the most it will bring and execute a good and valid deed of conveyance thereof to the purchaser, That before he proceeds to the sale thereof he shall give bond with two sufficient Sureties to the Judge of Probate of Wills &c within and for the County of Rockingham that the proceeds of said sale shall be put on Interest for the benefit of said Minor and that he will account to the said Minor for the proceeds with the Interest thereon when he shall arrive at full age, or to his legal heirs in case he should not arrive at the age of Twenty one years—

[CHAPTER 11.]

State of }
New Hampshire. }

AN ACT TO EMPOWER THE JUDGE OF PROBATE FOR THE COUNTY OF GRAFTON TO ISSUE A NEW COMMISSION OF INSOLVENCY ON TIMOTHY BEDELS ESTATE—

[Approved January 23, 1794. Original Acts, vol. 14, p. 32; recorded Acts, vol. 8, p. 246.]

Whereas it has been represented and made appear to this Court that the Commissioners on the Estate of Timothy Bedel late of Haverhill in said State Esq^r Deceased have made some mistakes in Settling and reporting to said Judge a list of the claims of creditors to said Estate—

Be it enacted by the Senate and House of Representatives in General Court convened, That said Commissioners be allowed by the Judge of Probate for said County a further time not exceeding six months for the purpose of reexamining any claims against said Estate and allowing new ones as they may think right and Just, and the said Judge of Probate is hereby authorized and directed to Issue a new Commission of Insolvency on said Estate accordingly; any Law, usage, or custom to the contrary notwithstanding—

[CHAPTER 12.]

State of }
New Hampshire. }

AN ACT TO AUTHORIZE JACOB RANDALL TO SELL CERTAIN REAL ESTATE—

[Approved January 23, 1794. Original Acts, vol. 14, p. 33; recorded Acts, vol. 8, p. 248.]

Whereas Jacob Randall has petitioned the general Court representing that his two Children, Minors under six years of age, are owners of the Reversion of one half of a dwelling house and about one quarter of an Acre of Land situate in Newmarket in the County of Rockingham in Right of their Mother, who is dead, of which Premises he is Tenant by Courtesy—That said house is very old and much out of Repair, and the Rents inadequate to the Repairs—That before the said Minors will arrive at full age the said house, without great Expence, will be totally unfit for Use and therefore prayed for Liberty to sell the same— which appearing reasonable—therefore—

Be it Enacted by the Senate and House of Representatives in general Court convened that the said Jacob Randell be, and he hereby is authorized to sell the said Estate in such manner as he shall judge most for the benefit of said Minors and to execute a good & valid conveyance thereof to the purchaser—That before he proceeds to the Sale thereof he give bond with sufficient Sureties to the Judge of probate for said County that the net proceeds of said Sale shall be paid to said Minors when they shall, by Law, be thereto entitled—

[CHAPTER 13.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE INHABITANTS OF A PLACE IN THE COUNTY OF CHESHIRE CALLED PROTECTWORTH—

[Approved January 24, 1794. Original Acts, vol. 14, p. 34; recorded Acts, vol. 8, p. 250.]

Whereas the said inhabitants have petitioned the General Court to be incorporated of which due notice has been given and no objection been made to the same and it appearing for their benefit & just.

Be it therefore Enacted by the Senate and house of Representatives in General Court convened That there be and hereby is a township erected & incorporated in the said County of Cheshire by

the name of Springfield bounded as follows beginning at a beech tree at the South East corner of Grafton from thence running South thirty nine degrees west two miles & forty four chains on the Curve line so called then south thirty seven degrees west four miles & thirty seven chains on said Curve line then running north seventy four degrees west five miles & nineteen chains by Wendell then running North sixteen degrees east one mile & forty four chains to a small rock maple tree at the southerly corner of New Grantham then north thirty one degrees east five miles & thirty chains by said New Grantham to a hemlock tree at the North east corner thereof then running south seventy two degrees east one mile to a small Hackmatack tree then on the same course five miles & thirty six chains & one half chain to the beech tree where it began & the inhabitants thereof erected into a body Politic & are hereby invested with all the powers & enfranchised with all the rights priviledges & immunities which other towns in this State hold & enjoy To hold to the said inhabitants & their successors forever— And M^r Jedediah Philbrick is hereby authorised to call a meeting of said inhabitants to choose all necessary & customary town officers giving fourteen days notice of the time place & design of said meeting & such officers shall be & hereby are invested with all the powers of the like officers in any other town in this State—And every other meeting which shall be annually held in said town for that purpose shall be on the second Tuesday of March forever

[CHAPTER 14.]

State of }
New Hampshire. }

AN ACT FOR THE RESTORATION OF CALEB BALCH TO HIS LAW—

[Approved January 29, 1794. Original Acts, vol. 14, p. 35; recorded Acts, vol. 8, p. 253.]

Whereas the said Caleb Balch hath petitioned this Court, shewing that, at the Court of Common Pleas in and for the County of Hillsborough, held in December in the year of our Lord one thousand seven hundred and ninety one, he commenced and entered an Action against one Amos Pearson and Mary his Wife, as Executrix of the last Will of one Joshua Balch; that they were duly notified thereof according to Law, but did not appear, and were defaulted, and the said Action was continued for Judgment into the next Term. That the said Caleb was not prepared to take Judgment at that Time, and the said action was not, according to the usual practice in such Cases, brot forward at the next Term, but was omitted; and the said Caleb hath prayed Releif in that Behalf, which appearing reasonable, therefore, Be it enacted by the Senate

and House of Representatives in General Court convened, that the Clerk of said Court of Common Pleas be, and he is hereby directed and empowered, at March Term next to bring forward said Action as a continued Action and the said Court is hereby authorised to proceed to render Judgment thereon as tho' the same had been regularly continued—

And be it further enacted that the said Court shall not proceed to render Judgment as aforesaid until the said Amos and Mary have been served with a Copy of this act, which Service shall be done at the proper Expence of the said Caleb, and fourteen Days prior to the Sitting of the Court when such Judgment shall be rendered—

[CHAPTER 15.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE WILLIAM SIMPSON ESQ^R AND SUCH OTHER PERSONS AS HEREAFTER MAY ASSOCIATE WITH HIM FOR THE PURPOSE OF BUILDING A TOLL BRIDGE OVER CONNECTICUT RIVER—

[Approved January 29, 1794. Original Acts, vol. 14, p. 36; recorded Acts, vol. 8, p. 256.]

Whereas William Simpson of Orford in the County of Grafton Esq^r has represented to this Court that it will be of great utility to the public to have a Bridge erected over the River Connecticut at said Orford and has prayed for the exclusive privilege of erecting and supporting a Bridge over said River at the place aforesaid, which prayer appearing reasonable— Therefore—

Be it enacted by the Senate and House of Representatives in General Court convened— That said William Simpson and such other persons as may hereafter associate with him for that purpose, their Heirs and assigns, shall be and hereby are declared a body politic and corporate forever for the purpose aforesaid, under the name of the Proprietors of Orford Bridge and by that name may sue and be sued to final Judgment,—Execution and satisfaction and do and suffer all matters, Acts and things which bodies politic may or ought to do or suffer, and the said Corporation shall use a common seal and the same may break, alter and renew at pleasure—

And be it further enacted, that the said William Simpson Esq^r shall warn the first meeting of said Proprietors by advertizing the time and place of holding the same in the Newspaper printed at Hanover in said County of Grafton, three weeks successively fifteen days before the time of holding said meeting— and the Proprietors, by a vote of a majority of those present, or represented at said meeting accounting and allowing one vote to each share in all cases, shall

choose a Clerk who shall be sworn to the faithful discharge of his said office and shall also agree on a method of warning future meetings—and at the same or at any future meeting or meetings may elect such officers and make and establish such rules and bye Laws as to them may seem necessary, for the future regulation and government of the said corporation, for carrying into effect the purposes aforesaid and for collecting the toll herein after granted and established; and the same rules and bye Laws may cause to be executed and may annex penalties to the breach thereof not exceeding six Dollars for any one offence, provided the said rules and bye Laws be not repugnant to the Constitution and Laws of this State and all representations at any meeting of said corporation shall be proved in writing signed by the person to be represented, which shall be filed by the Clerk, and this Act and all rules bye Laws, regulations and proceedings of the said Corporation shall be fairly and truly recorded in a book or books by the Clerk kept for that purpose—

And be it further enacted that the Proprietors aforesaid their Heirs and assigns be and they hereby are permitted and allowed to erect a Bridge over Connecticutt River and to have the exclusive privilege of keeping the same forever at any place between the northerly line of Piermont and the southerly line of said Orford, and the same to hold in fee simple forever—

Provided nevertheless, and be it further Enacted, That from and after the expiration of twenty years from the passing this Act it should by the Inhabitants of said Piermont, in Town meeting duly warned and held for that purpose, be deemed necessary and for the good of the public, that a Bridge should be built between the North-erly line of said Piermont and the Southerly line thereof, and if the said Proprietors shall not within three Years after notice given them by the Selectmen of said Piermont, in writing under their hands, or a major part of them that the Inhabitants aforesaid have so deemed it necessary that a Bridge should be built at said Piermont, build a Bridge and give Bond to the Selectmen thereof for the time being, that said Bridge shall forever afterward be kept in good repair, which bond shall be given upon the penalty of the Privilege of building a Bridge at said Piermont reverting to said State; then this Act so far as it respects the grant within the limits of said Piermont shall be void— any thing herein contained to the contrary notwithstanding—And be it further enacted, That in case it should be so deemed necessary by the Inhabitants of said Piermont and the said Proprietors should be notified thereof as aforesaid, and the said Proprietors thereupon do build a Bridge and give bond as aforesaid within the term of three Years as aforesaid, the same rates of toll shall be allowed them under the same regulations and restrictions as is herein after mentioned respecting the Bridge intended to be built within four years at Orford aforesaid—

And be it further enacted, that for the purpose of reimbursing the said Proprietors the monies by them to be expended in building and supporting said intended Bridge to be built at said Orford, a Toll be and hereby is granted for the benefit of said Proprietors their Heirs and assigns according to the rates following, namely; for each foot passenger one cent, for each Horse and rider three cents, for each Horse and Chaise Chair or Sulkey ten cents, for each riding Sleigh drawn by one Horse three cents, for each riding Sleigh drawn by two Horses five cents, for each Coach Chariot Phaeton or other four wheel carriage for passengers twenty five cents, for each Curricule twenty cents, for each Cart or other carriage of burthen drawn by one beast nine cents, for each Waggon Cart or other Carriage of burthen drawn by two beasts twelve cents, and if drawn by more than two beasts and not exceeding eight twenty cents, each Horse or neat beast exclusive of those rode on or in carriages two cents, for each Jack or mule two cents, for each Sheep or Swine one half a cent each, and to each team one person and no more, shall be allowed as a driver to pass free of toll— and at all times when the toll gatherer shall not attend his duty the Gate or Gates shall be left open— provided nevertheless that after twenty years from the passing this Act the Justices of the Supreme Judicial Court May once in every five years there after regulate the rates of toll to be received by said Proprietors, provided always that the rates of toll shall never hereafter be set at less than two thirds of what is set and allowed in this Act

And be it further enacted, that if the said Proprietors their heirs and assigns shall fail for the space of four years from the passing this Act, to erect and compleet the Bridge intended to be built at said Orford, then this Act shall be null and void any thing herein contained to the contrary notwithstanding—

And be it further enacted, that nothing in this Act contained shall effect the Grant or Grants of any ferry or ferys in said Piermont—

[CHAPTER 16.]

State of }
New Hampshire. }

AN ACT AUTHORISEING, STEPHEN FRENCH TO MAKE SALE OF THE REAL ESTATE OF DAVID FRENCH LATE OF BEDFORD IN SAID STATE DECE^D

[Approved February 12, 1794. Original Acts, vol. 14, p. 37; recorded Acts, vol. 8, p. 265.]

Whereas it has been represented to the General Court of this state by the petition of the above named Stephⁿ French, That said David French died intestate, and Seiz'd of Some real estate lying in

Said Bedford and that it wou'd be greatly for the interest of the Children of the said deceas'd being Six in number and all of them young, To have the estate sold and the money put on interest, Which petition having been Read and the prayer appearing reasonable Therefore be it Enacted by the Senate and house of Representatives in general Court conveni'd, That the Said Stephen French, the Administrator of said estate, Be and hereby is fully authoriz'd and impowered to make Sale of all the real estate of the said deceas'd, and execute good and Vallid Deed or Deeds of all the title which the said deceas'd had therein to such person or persons as shall purchase the same which Sale Shall be by Auction and notified at least three weeks before the same shall be made which shall be done by posting, or setting up an Advertisment Thereof at Some public house in Said Bedford, which advertisment shall remain Set up the time aforesaid, and when the said Estate shall be sold as aforesaid and Deeds given thereof pursuant to this Act. The Said Stephen French shall present an account Thereof with an account of his administration on Said Estate to the Judge of probate of the County of Hillsborough for the time being and the ballance that shall remain in his hands after paying the Just debts and such other Accounts as the Judge Shall allow Shall immediately be put on interest for the Use and benefit of Such Children, who shall have a Right to draw their respective parts Thereof as they Come of Age

And be it further enacted that before the Said Stephen French shall make any Sale of the estate above mentioned he Shall present a Copie of this Act to the Judge of Probate of Said County who is hereby authorised to take Bond of the Said French with such Surety or Sureties as he may Judge necessary for the True and faithfull performance of the trust hereby repos'd in the Said Stephen French— According to the true intent and meaning hereof

[CHAPTER 17.]

State of }
New Hampshire. }

AN ACT MAKING FURTHER PROVISION FOR THE ADMINISTRATION OF JUSTICE

[Approved February 12, 1794. Original Acts, vol. 14, p. 38; recorded Acts, vol. 8, p. 268. Laws, 1797 ed., p. 75; id., 1815 ed., p. 505. This act is made perpetual by the act of December 4, 1798, id., 1815 ed., p. 506. See act of December 11, 1804, id., p. 506.]

Whereas Petitions are often prefered to the General Court praying for restoration to a Course of Law which mode of relief is not only burdensome to the Legislature and to the State, but also extremely expensive to individuals, who often live at a great distance from the place of holding said Court. for Remedy whereof

Be it Enacted by the Senate & House of Representatives in General Court convened that the Justices of the Superior Court of Judicature Be and they Hereby are vested with the power of hearing & deciding and granting one Review or New Trial after Judgment that hereafter may be rendered in the said Superior Court, or in the Court of Common Pleas, or General Sessions of the Peace in the following cases, to wit, upon Verdict of Jury, default, Non-suit, discontinuance, report of Referrees or demurer, and upon the discovery of New evidence and where an Action by accident or Misfortune hereafter may fail to be prosecuted to final Judgment to the delay of Justice if it shall appear to them that the Justice the Law intended hath not been attained and that a further hearing of the cause would all circumstances considered be Just and equitable, And like remedy shall be granted to any person materially interested who hath not been a party to the suit on which such Judgment may be rendered; And Process on said Review or New trial shall be by Writ of Review as in other cases; Provided application by Petition in writing setting forth the reasons for said Review or New Trial be made to said Superior Court, of which application due notice shall be given to the adverse party if living within this State otherwise to his Agent or Attorney who appeared for him in the cause and all proceedings by virtue of this Act shall be under such Rules and Regulations not inconsistent with the fundamental rules & principles of Law as to the said Justices may seem reasonable and best calculated for the attaining complete Justice.

And Be it further Enacted that all Applications New Trials and other proceedings to be had by virtue of this Act shall be in the respective County where the original cause was tried And costs shall be allowed and taxed in favour of the prevailing party on the petition as well as on the trial of the cause so reviewed agreeably to the table of fees This Act to be in force for the Term of five years from the passing hereof & no longer.—

[CHAPTER 18.]

State of }
New Hampshire. }

AN ACT DIRECTING THE MODE OF ADMINISTERING OATHS IN CERTAIN CASES.

[Approved February 12, 1794. Original Acts, vol. 14, p. 39; recorded Acts, vol. 8, p. 272. Laws, 1797 ed., p. 98; id., 1805 ed., p. 44; id., 1815 ed., p. 49; id., 1830 ed., p. 47. See act of February 8, 1791, establishing forms of oaths, Laws of New Hampshire, vol. 5, p. 611.]

Be it Enacted by the Senate and House of Representatives in General Court convened that the Several Justices of the Peace within this State within their respective Counties Be and they are

Hereby impowered to administer the Oaths prescribed by the Constitution to the Field Officers, Captains, & Subalterns already appointed and not Sworn, or that may hereafter be appointed in the several Regiments in this State; and also to all Coroners, Sheriffs & Deputy Sheriffs, and that any two of the Councill, or any one of the Councill with a Justice of the Peace, or any two Justices of the peace Quorum Unus, Be impowered to administer the Oaths aforesaid to all General & Civil Officers; And that any two Justices of any Court in this State be impowered to administer the Oaths aforesaid to their respective Clerk or Clerks; and that they respectively make Return of the same into the Office of the Secretary of this State within Six Months next after administering the same.—

[CHAPTER 19.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE AN ACADEMY AT HAVERHILL IN THE COUNTY OF GRAFTON IN THIS STATE—

[Approved February 12, 1794. Original Acts, vol. 14, p. 40; recorded Acts, vol. 8, p. 274.]

Whereas Charles Johnston Esq^r & others, have preferred a petition to the General Court setting forth that they had at their own expence, erected & compleatly finished a large & commodious edifice, at said Haverhill every way well calculated for an Academy: That they had employed a young Gentleman of liberal education, eminently qualified for a preceptor: And that about thirty pupils had already there engaged in pursuit of an education in the arts & sciences: And that the prospect of said institution's becoming useful to the public, & the rising generations was exceedingly flattering: And praying for an act of incorporation—

And whereas the constitution of this State makes it the duty of legislators & magistrates at all times “to cherish the interest of literature and the sciences” And this legislature being fully sensible of the many & great advantages accruing to mankind in an enlightened age by means of a due encouragement of schools academies & seminaries of learning, & being disposed as far as in them lies to promote the same

Therefore

Be it enacted by the Senate & House of Representatives in General Court convened, that there be & hereby is established at Haverhill in this State, an Academy, by the name of Haverhill Academy: And the end & design of said institution is & shall be, to promote religion, piety, virtue & morality, & for teaching, & instructing youth in the english, latin & greek languages—in writing —music

and the art of speaking— in geography, logic geometry, mathematics & such other branches of science, as opportunity may permit & the trustees, herein after to be provided shall order & direct

And be it further enacted that the Honorable Charles Johnston Esq^r the Rev^d Ethan Smith, Mess^{rs} John Page, Samuel Brooks & Joseph Bliss, be & they hereby are nominated & appointed trustees & overseers of said Academy, & they are hereby erected & incorporated into a body politic by the name of the trustees of Haverhill Academy, and they & their successors in said office shall be & continue a body politic & corporate & by that name have continuance & duration forever—

And be it further enacted that the said trustees & their successors shall have one common seal for their use, which they may break, change or renew at pleasure— And they may sue & be sued, prosecute & defend, in all actions real personal & mixed, & the same pursue to final Judgment, execution, settlement & full satisfaction as other like corporations, may can or ought to do

And be it further enacted that the said trustees & the longest livers & survivors of them & their successors, elected & chosen as hereafter provided, shall be the true & sole visitors, trustees & governors of said Academy in perpetual succession forever, with full power & authority from time to time & at all times, to elect such instructors officers & servants of said Academy as to them & their successors may seem most fit & convenient— And at any legal meeting to elect & choose by ballot such & so many other reputable persons for trustees & overseers of said Academy as they shall Judge to be necessary & convenient: Provided the number of said corporation shall at no time exceed ten: And if it shall so happen at any time, that the number of said corporation shall be less than five, it shall be their duty to call a meeting soon as may be & elect by ballot one or more suitable persons to compleat said number of five at least—

And said corporation shall have power and authority, at any time to make such rules, orders & by laws for the good government of said Academy as they may find necessary, provided they be not repugnant to the constitution or laws of this State: All which rules, orders & by-laws shall be observed by the instructors teachers & other officers of said Academy & the students & servants thereof upon the penalties therein mentioned and contained—

And said corporation are hereby authorized from time to time & at all times to supercede and remove any member of said corporation, or any teacher, instructor, officer, student or servant thereof, as occasion may require & appoint others in their room & stead— And a majority of said corporation shall be a quorum for transacting business—

And be it further enacted that said board of trustees & their successors in said office be & they hereby are invested with full power

& authority in law, to take, receive & hold by gift, grant purchase, devise or otherwise agreeably to law any estate real personal & mixed for the use, benefit & emolument of said institution; and the same to sell, dispose of & convey by deed or other legal mode of conveyance, or to lease, rent & improve the same & the income, profits, proceeds & avails thereof, to lay out & dispose of to the best advantage of said institution—Provided always that the net annual income of such real estate shall at no time exceed the sum of seven hundred dollars: and the net income of estate personal & mixed shall at no time exceed the sum of one thousand dollars—

And said corporation shall also have power to constitute & appoint one or more agents or Attornies to act for them & the same to supercede or remove at pleasure

And the preceptor & preceptors & all others employed in the business of instruction & teaching at said Academy & the students thereof shall for the time being, be exempt & free from poll taxes & military duty: And all the estate either real, personal or mixed shall be free from taxation: Provided nevertheless that if at any time it shall happen that the real estate belonging to said Academy shall exceed the amount of three thousand, three hundred & thirty three dollars & one third of a dollar, then & in such case all such real estate belonging to said Academy over & above the said sum of three thousand, three hundred & thirty three dollars & one third of a dollar, shall not, by virtue of this act, be free from taxation—

Provided also that no student of said Academy shall be exempted from taxation or military duty, until he shall have been a student thereof at least nine months immediately next preceeding the time of taking the valuation in which he may be included, or the time, when he shall be notified to attend military duty in the corps, whereto he may belong—

To have & to hold said privileges & immunities to said corporation, their successors & assigns for the use, benefit & emolument of said institution, & the enfranchisements herein mentioned & agreeably to such terms, conditions, limitations, intentions & designs of those who may hereafter become benefactors of the same, as expressed in any deed or other instrument of conveyance to be made for that purpose—

And be it further enacted that the Honorable Charles Johnston Esq^r be & hereby is appointed and authorised to call the first meeting of said corporation & to preside therein: At which meeting & at any other the said trustees & their successors may agree upon & establish a method of calling meetings establish modes for their proceedings & manner of keeping their records—

[CHAPTER 20.]

State of }
New Hampshire. }

AN ACT TO ENABLE MARCY WASON ALIAS MARCY NAY TO CONVEY
 CERTAIN LANDS—

[Approved February 12, 1794. Original Acts, vol. 14, p. 41; recorded Acts, vol. 8, p. 283.]

Whereas James Wason of Chester County of Rockingham and State of New Hampshire hath Petitioned the General Court setting forth that he and his Brother Thomas Wason of Candia in s^d State Purchased of John Penhallow Esqr of Portsmouth about fifty acres of Land in s^d Candia and paid the Purchase sum in Equal shares and that the said Thomas Received as a deed of the whole of said Land from this consideration (viz) that if the Said James cou^d Purchas land Elsewhere that Suited, the said Thomas was to keep the land and pay back to the said James the Money which he had advanced but the said James not meeting with Sutable Encouragement in any other Place the Matter has Continued in that scituation ever since and that in march seventeen Hundred and ninety two the said Thomas Wason Died very sudenly and the said James Wason not having received a deed of his part of said land and no person having legal authority to fulfill the agrement of the Parties the said James Wason pray^d that Marcy Wason widow of the Deceas^d who has since become the wife of Samuel Nay be Impowered to make and Execute a Good and valid deed to him of his part of said fifty acres of land which facts being Proved and the prayer appearing Reasonable—

Therefore Be it Enacted by the senate and House of Representatives in General Court Conveen^d that the said Marcy Wason alias Marcy Nay be and hereby is fully authorised and Impowered as feme Sole to make and Execute a Good and valid deed of said land to the said James Wason his heirs and assigns in as full and ample a manner as the Said Thomas might or cou^d do was he now liveing any law to the Contrary notwithstanding—

[CHAPTER 21.]

State of }
New Hampshire. }

AN ACT TO ALTER THE TIME OF HOLDING THE ANNUAL MEETING
OF THE TOWN OF PETERBOROUGH—

[Approved February 14, 1794. Original Acts, vol. 14, p. 42; recorded Acts, vol. 8, p. 286.]

Whereas John Smith in behalf of the said Town has represented to the General Court that the holding the Annual Meeting of said Town so late in the Month of March, as the third tuesday, the time fixed by Law for that Purpose, is attended with many and great Inconveniencies to the Inhabitants of said Town, and prayed that the same may be altered to the first Tuesday of the same Month—Therefore

Be it Enacted by the Senate and House of Representatives in General Court convened That the Annual Meeting of the said town of Peterborough, in future, be holden on the first Tuesday of March—any Law Usage or Custom to the contrary Notwithstanding—

Provided nevertheless that the annual meeting in said Town of Peterborough, shall be holden the present year as hath been practised heretofore

[CHAPTER 22.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS HEREIN AFTER NAMED,
INTO A SOCIETY BY THE NAME OF, "THE SOCIAL LIBRARY COM-
PANY IN ROCHESTER

[Approved February 14, 1794. Original Acts, vol. 14, p. 43; recorded Acts, vol. 8, p. 288.]

Whereas a general diffusion of useful knowledge in a land of liberty, has a happy tendency to preserve Freedom, and make better men & better citizens

Be it therefore enacted by the Senate & house of Representatives in General Court convened, That the Rev^d Joseph Haven, Hon^{bl} John M^cDuffee, Aaron Wingate, Maj^r Richard Furber, Cap^t Daniel Hayes Joseph Clark, Jonathan Rawson, Col^l David Place, Jonas C. March, John Plummer jun^r, Richard Dame, Daniel Dame, Edward Rollins, Ephraim Kimball, Daniel M^cDuffee, James How, William Palmer, Beard Plummer, & others their associates, be, & they hereby are formed into constituted & made, a body politic & cor-

porate by the name of "The Social library Company in Rochester" and that they, their successors & such other persons as may be elected in the manner herein after mentioned, shall be & continue a body politic & corporate by the same name forever—

And be it further enacted, That the members of said society may from time to time, elect a director thereof, a Secretary, a Librarian Treasurer, & such other Officers, as they may deem necessary & expedient, & to determine the respective numbers, & the duties of their several officers.—

And be it further enacted That the members of said society shall have full power & authority to make & enact such rules & by laws for the government thereof as may by them be found necessary; provided the same be not repugnant to the Constitution & laws of this State, and to annex reasonable fines & penalties to the breach of them, not exceeding the value of the delinquent's share in said library; to be recovered by said Society in an action of debt, to their use in any Court within this State proper to try the same—

And be it further enacted That the said society shall forever have the power, to establish the time & mode of convening themselves together, & the number necessary to constitute such meeting, as also the place which to them may appear most convenient—

And be it further enacted That the members of said society may from time to time, admit such persons to become members thereof as they may judge proper; & shall have power to suspend expel or disenfranchise any member thereof—

And be it further enacted, That the members of said society shall forever be deemed capable in law of taking & holding, any donations that may be made them whether the same be in money, books or other personal estate.—

And be it further enacted That the members of said society, may sue & be sued in all actions personal & prosecute & defend the same to final judgment & execution by the name of the Social Library Company in Rochester.

[CHAPTER 23.]

State of }
New Hampshire. }

AN ACT EMPOWERING ELIZABETH ODLIN TO SELL AND CONVEY CERTAIN LANDS THEREIN MENTIONED.

[Approved February 18, 1794. Original Acts, vol. 14, p. 45. This act is Acts, vol. 8, p. 292.]

Elizabeth Odlin, wife of Dudley Odlin late of Exeter in the County of Rockingham and State aforesaid Esquire, now absent from said State, having Petitioned the General Court, setting forth that in the division of her late Honored Father's estate, some Lands

lying in the Townships of Thornton, Orford & Lyman, were Set off to her, as part of her share in said Estate,—That her said Husband has been absent from his family almost four Years—That those Lands cannot be of advantage to his Creditors, as they are not of Income— and prayed that The General Court would be pleased to pass an Act authorizing her to dispose of such of those Lands, as have not already been disposed of, & to give as valid, Conveyance of the Same, as though She were a Feme sole; The prayer of which Petition appearing reasonable,—

Be it Enacted by the Senate & House of Representatives in General Court convened, That the said Elizabeth Odlin Be, and Hereby is, fully authorized and empowered to bargain and Sell all such Lands in the Townships of Thornton, Orford and Lyman, as were of Right Set off to her, as part of her Share in her late Father's estate, and have not already been disposed of; And to give as Valid deed, or deeds of the Same to the Purchaser or purchasers as She might lawfully do, were She a Feme Sole.

[CHAPTER 24.]

State of {
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS FOR THE PURPOSE OF CUTTING A CANAL BY ISLE OF HOOKSETT FALLS ON MERRIMACK RIVER.—

[Approved February 18, 1794. Original Acts, vol. 14, p. 45. This act is not found in the recorded Acts. See additional act of June 21, 1797, recorded Acts, vol. 10, p. 223.]

Whereas the opening & cutting a canal by Isle of Hooksett falls so called on Merrimac river in the County of Hillsborough for the transportation of goods wares & merchandizes up and down said river would be of the greatest publick utility and whereas Robert M^cgregore and William Duncan Esq^{rs} have petitioned the General Court for the above privilege.—

Therefore

Be it enacted by the Senate & House of Representatives in General Court convened, That Robert M^cgregor and William Duncan with those who are or shall hereafter become proprietors in the privilege aforesaid their heirs & assigns shall be a corporation and body politick for the purpose aforesaid under the name of the proprietors of Isle a Hooksett Canal & by that name may sue & be sued to final judgement and execution and do and suffer all matters & acts & things which bodies politick may or ought to do or suffer & the said corporation may use a common seal and the same may alter break & renew at pleasure—

And be it further enacted That the said proprietors shall at any legal meeting to be warned & holden for & in any manner they shall agree have power to choose a clerk or any other officer for said corporation they may think proper to make and establish such rules & bye laws as to them shall seem necessary & convenient for the regulation & government of said corporation for carrying into effect the purposes aforesaid & for collecting the toll herein after granted; And the same rules and bye laws may cause to be executed & annex penalties to the breach thereof not exceeding forty shillings for any one breach.

Provided said rules & bye laws are not repugnant to the constitution & laws of this State. And this act & all rules & bye laws regulations & proceedings of the said corporation shall be fairly and truly recorded by the said clerk in a book or books to be by them provided & kept for that purpose—

And be it further enacted That the said proprietors be & they hereby are empowered to construct & maintain said Canal & all such locks & dams as shall be necessary in order to admit the passage of boats rafts & masts in Merimack river by said Isle of Hooksett falls. Provided that nothing herein contained shall be construed to authorize the said proprietors to obstruct the main passage of the river or injure the passage of fish therein.—

And be it further enacted That the said proprietors be & they hereby are authorized & empowered to purchase & hold in fee simple all such land & real estate as may be necessary for carrying into effect the purposes of this act, provided the same exceed not the value of one thousand dollars—

And be it further enacted That the share or shares of any of the said proprietors in the said Canal & in all the real & personal Estate of which the said corporation may at any time hereafter be legally seized & possessed by virtue of this act may be transferred by deed acknowledged & recorded by the Clerk of the said proprietors.

And be it further enacted That for the purpose of reimbursing the said proprietors the money by them expended or to be expended in building & supporting said Canal and for clearing the passage necessary for the purposes aforesaid a toll be & hereby is granted & established for the sole benefit of the said proprietors not exceeding the rates following viz For every thousand feet of pine boards eighteen cents for every thousand feet of two & an half inch pine plank forty five cents & other pine plank in proportion thereto, for every thousand of two & an half inch oak plank ninety cents other oak plank in proportion for every cord of pine wood eight cents for every Cord of other wood twelve cents, for every thousand of barrel staves twenty five Cents, for every thousand of hogshead staves forty cents for every thousand of pipe staves fifty cents for every ton of oak timber thirteen cents, for every ton of pine timber eight cents for every boat above one ton burthen twenty cents for every

ton conveyed up or down in such boats or conveyed on rafts through said Canal thirty cents for every smaller boat in like proportion thereto, for every thousand of shingles two cents for every thousand of Clapboards ten Cents for every thousand of hoops fifteen cents for every ton of masts spars & bowsprits twelve Cents for all other articles not enumerated in like proportion: For the term of thirty years of which time the justices of the Superior Court of judicature shall have the power to reduce the rates of said toll Provided said proprietors have received more than twelve pr Cent on all actual expenditures but the toll shall never be reduced so low but that the said proprietors shall receive twelve pr Cent in future upon said expenditures. And Whereas it may be necessary in the prosecution of the foregoing undertaking that the property of private persons should be appropriated to the use of said Corporation & whereas it may also happen that some injury may arise thereby, Therefore, Be it enacted, That when any person who may be injured in his property as aforesaid, or when the property of any one shall be appropriated as aforesaid such person or persons shall & may upon application to the Court of General Sessions in said County have the same remedy against said proprietors, as by law may be had by private persons in the Case of laying out highways through their lands, provided that when any application shall be made as aforesaid, the said Court shall take into consideration as well the injury & damage which may probably happen to such property in future, as what has already taken place and shall award one sum as a full compensation therefor and no new action shall afterwards be sustained for or on account of any new supposed damage to such property & when execution against said proprietors shall be awarded, for damages their goods & estate in their private capacity shall be liable thereto,—

And be it further enacted That if the proprietors aforesaid shall refuse or neglect for the space of four years after the passing this act to build & complete such Canal so as to be passable in manner aforesaid then this act shall be void & of no effect, and all the privileges before enumerated revert to the state—

[CHAPTER 25.]

State of }
New Hampshire. }

AN ACT TO PREVENT THE KEEPING OF LARGE QUANTITIES OF GUN POWDER IN PRIVATE HOUSES IN PORTSMOUTH, AND FOR APPOINTING A KEEPER OF THE MAGAZINE BELONGING TO SAID TOWN.

[Approved February 18, 1794. Original Acts, vol. 14, p. 46; recorded Acts, vol. 8, p. 294. Laws, 1797 ed., p. 359; id., 1805 ed., p. 326; id., 1815 ed., p. 460; id., 1830 ed., p. 275. This act repeals the act of February 28, 1786, Laws of New Hampshire, vol. 5, p. 127.]

Whereas the keeping of large quantities of gun powder in private houses in Portsmouth, aforesaid, or in merchant ships, or vessels lying at the wharves in said town, would greatly endanger the lives and properties of the inhabitants thereof, in case of fire; which danger might be prevented, by obliging the owners of such powder, to deposit the same in the magazine provided by said town for that purpose.

Therefore

Be it enacted by the Senate and house of Representatives in general court convened, That if any person or persons, shall keep in any dwelling house, store or other building, on land, within the limits of said Portsmouth, except the magazine aforesaid, more than ten pounds of gun powder at any one time, which ten pounds shall be kept in a tin cannister properly secured for that purpose, such person or persons shall forfeit the powder so kept, to the firewards of said Portsmouth, to be laid out by them in purchasing such utensils as they may judge proper for the extinguishing of fire; and the said firewards are hereby directed and empowered to seize, and cause the same to be condemned in any court of record proper to hear and try the same, to be disposed of for the purchase aforesaid, and the offender shall also forfeit and pay a fine for the use of the poor of said Portsmouth, equal to the value of the powder so kept in any store, dwelling house, or building; which fine, shall be sued for and recovered by the overseers of the poor of said Portsmouth, for the use of said poor, in any court of law proper to try the same.

And be it further enacted by the authority aforesaid, That every master of any merchant ship or vessel, bringing gun powder into said Portsmouth, shall, within the space of forty eight hours after his arrival, deposit in said magazine, all the gun powder by him so brought as aforesaid: and if he shall neglect so to do, he shall pay a fine of thirty pounds, for the use of the poor of said Portsmouth, to be recovered by said overseers, in manner aforesaid.

And be it further enacted, That there shall be chosen annually, or oftener if necessity require, by the inhabitants of said Portsmouth, being legal voters, a keeper of said magazine, whose duty it shall be,

to receive into and deliver out of said magazine, all the powder so deposited, and to account therefor, who shall have a right to demand and receive for his time and trouble in attending on such business, at the rate of one shilling per hundred weight, for all quantities of powder above ten pounds, that he shall so receive into and deliver out of said magazine; and for all quantities under ten pounds at the rate of a half penny per pound

And be it further enacted, That no person shall transport or carry through the compact part of the town of Portsmouth, more than ten pounds of gun powder at any time without the same is in a close carriage or is sufficiently covered on penalty of forfeiting the sum of one dollar for each offence to be recovered and applied in the same manner as is herein before directed.—

And be it further Enacted, That the act to prevent the keeping large quantities of gun powder in private houses in Portsmouth passed the twenty eighth day of February one thousand seven hundred and eighty six be and hereby is repealed.

[CHAPTER 26.]

State of }
New Hampshire. }

AN ACT VESTING THE TITLE OF THE STATE OF NEW-HAMPSHIRE TO CERTAIN LANDS, IN THE HEIRS, VENDEE OR VENDEES OF JOHN NEAL ESQUIRE—

[Approved February 19, 1794. Original Acts, vol. 14, p. 47; recorded Acts, vol. 8, p. 299.]

Whereas Mary Neal and John Neal administrators of the Estate of John Neal late of Londonderry Esquire deceased intestate, have petitioned the General Court of this State setting forth— that Robert Smith was appointed by an Act of this State agent or trustee of the confiscated estate of Stephen Holland an absentee & being thus authorised did sell at Public Auction two lots of land in the Society lands so called & warrant them in his said Capacity, as part of said Hollands Estate—That prior to the date of said Smith's deed, the said Holland made a deed of conveyance to John Quigly of Francistown— That doubts have arisen in the minds of the purchasers under said Smith, respecting the Validity of their title to said Lands & as the circumstances are the burthen is likely to fall heavily on said petitioners and that the Estate of said Quigley was confiscated in the same manner as Holland's and praying that the title of the purchasers of said Lands under said Smith may be confirmed or they indemnified in some other way;— which appearing reasonable,

Be it enacted by the Senate & House of Representatives in General Court convened, that the heirs of the said John Neal deceased,

& those holding any part of said lots of Land under the said John, be, and they hereby are invested with all the right, title, interest, property and demand of, in and unto said lots of Land which this State held in the same at the time when the said Robert Smith, in his said Capacity executed a deed thereof to Michael Dalton; And all the right & title which the said State of New Hampshire had at that time or now have in and to said lots of land are hereby released and quitclaimed to the heirs of the said John Neal, deceased, and to those holding any part thereof, under the said John, Forever;

[CHAPTER 27.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE PROTESTANT EPISCOPAL SOCIETY IN CLAREMONT—

[Approved February 19, 1794. Original Acts, vol. 14, p. 48; recorded Acts, vol. 8, p. 302.]

Whereas a Petition has been preferred to the General Court in behalf of the said protestant Episcopal Society representing that they labour under many and great Inconveniencies for want of an Incorporation, and praying that said Society may be incorporated and formed into a body politic and corporate capable of receiving and holding property both real and personal and to have and enjoy all the Privileges and Immunities belonging to a corporate body—

Therefore

Be it Enacted by the Senate and House of Representatives in General Court convened that the said Society be and hereby is incorporated and formed into a body politic and corporate by the name of Union Church with all the Priviledges and Immunities necessary and incident to a religious Parish or Society with power to hold the Church & Church yard and the Glebe in said Claremont appropriated to the Use of an Episcopal Church and all grants and Endowments heretofore made said Society of which they are now seized and possessed and which shall hereafter be made to said Church—and in the Name of the Wardens for the time being of the said Church to sue for, and prosecute to final judgement and Execution for the Recovery of any Property real and personal belonging to or that hereafter shall belong to said Church; and to do and transact all and every Act & thing that any parish or religious Society may and by law can do within this State: To hold to the said Society and their Successors forever—

And be it further Enacted that the annual Meeting for choosing necessary and customary parish Officers and transacting other requisite business be holden on the Tuesday next following Easter Sun-

day forever—to be notified by the Church Wardens for the time being according to law—And the Society is hereby impowered at any Annual Meeting to agree upon the Method of calling any other Meeting that may be thought necessary—

Provided always that the annual Income arising from the Endowments made and which shall be made to the said Church shall not exceed the sum of three hundred Pounds;—And that this Act shall not be construed to affect the Right title to any glebe, or other Lands whatever—

[CHAPTER 28.]

State of)
New Hampshire.)

AN ACT TO ESTABLISH THE METHOD OF COMPUTATION OF MONEY
IN ACCOUNTS & OTHER TRANSACTIONS

[Approved February 20, 1794. Original Acts, vol. 14, p. 49; recorded Acts, vol. 8, p. 306. Laws, 1797 ed., p. 267; id., 1805 ed., p. 240; id., 1815 ed., p. 280; id., 1830 ed., p. 125. See act of September 1, 1781, Laws of New Hampshire, vol. 4, p. 420.]

Whereas it is of importance to Society and will facilitate Commerce, that the Money of Account be rendered as simple as its Nature will admit—And Whereas the method of Notation used by the United States is easy of Comprehension and will readily apply to the monies current in the Commercial World—and as in case of its adoption the Actual monies and the Money of Account will be of the same denomination—Its establishment cannot be attended, on its Introduction with injury or inconvenience to the Citizens of the State

Be it Enacted by the Senate and House of Representatives in General Court convened That the Legal Money of Account of the State of New Hampshire from & after the first day of January One thousand Seven hundred and ninety five shall be in Dollars and Decimals of a Dollar—that is to say Dollars Dimes and Cents, or Dollars and Cents—The Dollar to be of the value of the Federal Dollar so called or Dollar of the United States, and equal to Six shillings of the present Lawful Money— The Dime of the Value of one tenth part of a Dollar— and the Cent of the Value of One hundredth part of a Dollar—

And Be it further Enacted That from and after the said first day of January the Judgments of all state Courts— Accounts in all Public State offices, and Assessments in all State Taxes shall be in Dollars and Cents or Dollars, Dimes & Cents, reckoned and valued as aforesaid—

[CHAPTER 29.]

State of }
New Hampshire. }

AN ACT TO ABOLISH THE COURTS OF GENERAL SESSIONS OF THE PEACE, AND TO VEST IN THE COURTS OF COMMON PLEAS, ALL THE JUDICIAL POWERS, AUTHORITIES & JURISDICTION AND ALL OTHER POWERS, EXCEPT GRANTING TAXES, HERETOFORE BY LAW VESTED IN SAID COURTS OF GENERAL SESSIONS OF THE PEACE—

[Approved February 21, 1794. Original Acts, vol. 14, p. 50; recorded Acts, vol. 8, p. 308. Laws, 1797 ed., p. 64; id., 1805 ed., p. 68; id., 1815 ed., p. 84. See additional act of June 17, 1794, Laws, 1797 ed., p. 67. See act of June 12, 1801, Laws, 1805 ed., p. 70, which repeals a part of this act.]

Be it enacted by the Senate & house of Representatives in General Court convened that from & after the first day of October next the Several Courts of Common Pleas by Law established within this State, in their respective Counties, be & they hereby are vested with all the Powers & authorities touching all matters & things arising or happening within their said Counties which by Law are now vested in & triable by the several Courts of General Sessions of the Peace—And it shall be the duty of the said Courts of Common Pleas, within their respective Counties, to hear, try and determine, all indictments, Complaints, Petitions, causes matters & things of any name or nature whatsoever, except granting taxes in as full & ample manner, to all intents & purposes & upon the same principles of Law, as they are now triable before the said Courts of General Sessions of the peace; give Judgment, grant appeals, award Execution, inflict punishments & impose fines, which Fines shall be paid over as the Laws now in force direct for fines imposed by the Court of Sessions And all appeals, which by Law are now allowed from the Justices of the peace to the said Court of General Sessions of the peace, and all recognizances for appearances, entering Complaints & for appearances to give testimony at the said Courts of General Sessions of the peace, shall from & after the said first day of October next, be to the said Courts of Common Pleas—

And be it further enacted that the several and respective Clerks of the said Courts of Common Pleas be & they hereby are empowered & directed annually to issue Venires for Grand Jurors in their several Counties to attend said Courts, & for the same purposes as they have heretofore attended the Courts of General Sessions of the peace; which Jurors shall be allowed the same fees, & paid in the same manner, as heretofore: And all Records, files, papers, & documents of said Courts of General Sessions of the peace, shall be by said Courts delivered over to the said Courts of Common Pleas immediately after this act shall take effect—And no petit Jury other than those usually attending the said Courts of Common Pleas shall be summoned to attend said Courts—And the same fees heretofore

receivable at the said Courts of General Sessions of the peace, shall from & after the time this act takes effect, be paid at the said Courts of Common Pleas; and all that part of the fees, which by the present Laws is payable into the respective County Treasuries by the said Courts of General Sessions of the peace, shall be paid to the said Courts of Common Pleas, to be appropriated in the same manner, as fees in civil causes are by Law appropriated. And all processes, & other matters & things which may be returnable to or pending in said Courts of General Sessions of the peace, at the time this Act shall take effect, shall be by the said Courts respectively delivered over to, & tried by the said Courts of Common Pleas, in the same way & manner as they might or ought to have been tried, by said Courts of General Sessions of the peace had this Act not been made—

And be it further enacted that the Several County Treasurers shall in the month of September annually make out & certify to the Judges of the said Courts of Common Pleas, at their next stated Session, a particular Statement of such Treasury & the said Judges shall determine, what monies are in their opinion, necessary to be raised in said County for the year ensuing stating in general the purposes for which such monies are or probably will be needed— And the clerks of the several Courts of Common Pleas shall attend at the next session of the General Court, and lay the same with a particular Account of the expenditures & appropriations of the preceeding year, before the Representatives of the County then assembled, who are hereby authorised & empowered at such Session of the General Court to form themselves into a Convention for the sole purpose of granting and appropriating taxes for their County, and they may at such convention choose a chairman & swear the clerk of the court attending or in case of his necessary absence appoint and swear some other person as a Clerk, who shall keep a true record of all matters & things done in such convention and the taxes which shall be voted by such convention or a major part thereof attending shall be held good & valid in Law & may be assessed & collected by the County Treasurers in the same manner as taxes which have been heretofore granted by the Court of general Sessions of the peace, have been collected, & the said Judges shall from time to time make orders on the several Treasurers, in their respective Counties for paying out such monies agreeable to appropriations made by such Conventions, where appropriations are by them made, and for other necessary County Charges where an overplus is granted for contingencies & the several Treasurers are hereby authorised to pay out monies accordingly— And Be it further enacted that from & after the first day of October next, all the Laws now in force, which relate to holding Courts of General Sessions of the Peace in the several Counties in this State, be & they hereby are Repealed so far as they are inconsistent with this Act.—

[CHAPTER 30.]

State of)
New Hampshire.)

AN ACT TO ENLARGE THE CIVIL JURISDICTION OF JUSTICES OF THE PEACE WITHIN THIS STATE, AND DIRECTING CONSTABLES, IN CERTAIN CASES, TO SERVE WRITS AND OTHER LEGAL PRECEPTS.—

[Approved February 21, 1794. Original Acts, vol. 14, p. 51; recorded Acts, vol. 8, p. 315. Laws, 1797 ed., p. 63; id., 1805 ed., p. 72; id., 1815 ed., p. 508. See additional act of December 13, 1796, which makes this act perpetual, Laws, 1797 ed., p. 465. Repealed June 22, 1810, id., 1815 ed., p. 65.]

Be it Enacted by the Senate and House of Representatives in General Court convened that in Stead of the powers of Justices of the peace being limited to forty shillings, as by the Present Laws, the said Justices shall hereafter have Jurisdiction of all Causes, of the same nature, not exceeding four pounds. And all appeals from Judgments of Justices of the peace, when more than forty shillings debt or damages shall be recovered or demanded shall be to the Superior Court of Judicature in the same way & manner as Appeals are now by Law allowed and had from Judgments of Justices of the peace to Courts of Common Pleas; Excepting that the Appellant shall, at the time of claiming his Appeal, enter into Recognizance with Sufficient Sureties to enter his appeal at the Court appealed to, and prosecute the Same with effect.—

And Be it further Enacted that all Writs issuing from Justices of the peace shall, wherein the Sum demanded exceed forty Shillings, be Served fourteen days before the time of trial, and before they are served, be endorsed by the Plaintiff or his Attorney, and the Endorser shall, in case the Defendant recover Cost, be holden and liable for said Cost in the same way & manner as Endorsers of Writs returnable to the Courts of Common Pleas by Law now are. And any Justice of the peace may, upon application, issue Scire facias in due form of Law against such Endorser for said Cost—

And Be it further Enacted that any Constable to whom any Writ or other legal Precept issuing from a Justice of the Peace may be Directed, Be & Hereby is fully empowered and directed to Serve & Return the same according to Law—

And Be it further Enacted that the same mode, with respect to Bail on Mesne process, and taking Bond upon Execution for the liberty of the Prison Yard shall be observed upon Writs & Executions issuing from Justices of the peace, as the Laws now in force point out with respect to Bail on mesne process returnable to, and taking Bond upon Execution issuing from, the Courts of Common Pleas; any Law, Usage or Custom to the contrary notwithstanding.

This Act to continue and be in force three Years from the passing hereof, and to the end of the then next Session of the General Court, & no longer—

[CHAPTER 31.]

State of }
New Hampshire. }

AN ACT ESTABLISHING A ROAD LAID OUT FROM HALE'S BRIDGE, SO CALLED, IN THE COUNTY OF CHESHIRE, TO CHESTER IN THE COUNTY OF ROCKINGHAM, BY A COMMITTEE OF THE GENERAL COURT, AND BY THEM REPORTED WITH A PLAN AT THE SESSION OF THE GENERAL COURT IN JUNE LAST.—

[Approved February 22, 1794. Original Acts, vol. 14, p. 52; recorded Acts, vol. 8, p. 318. Laws, 1797 ed., p. 316. The operation of this act, as far as it respects Goffstown, was suspended for one year by the act of June 18, 1811, recorded Acts, vol. 19, p. 41. Repealed June 17, 1812, id., p. 151.]

Be it enacted by the Senate and House of Representatives in General Court convened, That a road from Hale's Bridge so called in Walpole in the County of Cheshire to Chester in the County of Rockingham, be and hereby is established according to the following courses and distances, and a plan of the same in the files of the Secretary of said State To wit— Beginning at said bridge in Walpole, thence South ten & an half degrees East one hundred eighty rods, thence South twenty degrees east one hundred rods, thence south fifty five degrees east eighty rods, thence north seventy five degrees east twenty nine rods, thence south thirty two degrees east thirty two rods to Cold river bridge, thence south fifteen degrees west sixty three rods to Bellows' tavern, thence north eighty six degrees east fifty two rods, thence north fifty three degrees east one hundred twenty rods, thence north sixty degrees east one hundred ninety rods, thence north eighty eight degrees east one hundred eighty four rods to General Bellows' Mills, thence south eighty six degrees east two hundred twenty rods, thence north seventy degrees east sixty rods, thence north thirty degrees east twenty four rods, thence north fifty four degrees east fifty four rods, thence north forty five degrees east ninety eight rods to Mill brook, thence north seventy degrees east forty two rods to Alstead line, thence south seventy eight degrees east thirty eight rods, thence south sixty four degrees east fifty four rods, thence south forty degrees east sixty six rods, thence south sixty eight degrees east sixty eight rods, thence south twenty degrees east twenty eight rods, thence south thirty two degrees east forty four rods, thence south sixty eight degrees east four hundred eighty rods, thence south forty six degrees east forty eight rods, thence south twelve degrees east sixty seven rods to Alstead meeting house, thence north eighty three degrees east fifty two rods, thence south eighty three degrees east thirty rods, thence south eighty degrees east seventy rods to Camp brook, thence north thirty eight degrees east ninety six rods, thence north forty six degrees east one hundred seventeen rods, thence south eighty

five degrees east seventy rods, thence south sixty degrees east thirty three rods to Baxter's brook, thence south forty degrees east ninety four rods, thence north sixty degrees east one hundred fifteen rods, thence south seventy eight degrees east forty eight rods, thence south sixty two degrees east one hundred twenty rods, thence south eighty degrees east three hundred thirty five rods, thence east two hundred four rods to the easterly line of Marlow, thence to continue on the same course one hundred eighty four rods, thence south eighty degrees east sixty eight rods, thence south seventy degrees east fifty two rods, thence east twenty rods, thence south fifty seven degrees east thirty eight rods thence south sixty degrees east sixty four rods, thence south twenty degrees east fifty five rods, thence south thirty four degrees east fifty rods, thence south forty four degrees east forty five rods, thence South fifteen degrees east thirty six rods, thence south forty five degrees east forty rods, thence south eighty nine degrees east sixty two rods, thence east twenty eight rods, thence south sixty five degrees east one hundred ninety two rods, to Ashawilletts river, thence south sixty degrees east sixty rods, thence south twenty four degrees east ninety four rods to Stoddard line, thence south forty degrees east sixty rods, thence south eighty four degrees east forty six rods, thence south fifty degrees east eighty four rods, thence south sixty two degrees east one hundred eighty four rods, thence south eighty four degrees east twenty six rods, thence south seventy degrees east one hundred forty rods, thence south sixty two degrees east seventy four rods, thence south fifty degrees east sixty eight rods, thence south thirty five degrees east one hundred two rods, thence south twenty seven degrees east two hundred forty two rods to Esquire Towns', thence south sixty six degrees east two hundred forty rods to Stoddard Meeting house, thence south eighty four degrees east three hundred ninety two rods to Major Wrights mills, thence south forty nine degrees east ninety rods, thence north eighty six degrees east sixteen rods, thence south sixty six degrees east twenty six rods, thence North eighty one and an half degrees east twenty one rods, thence North fifty six degrees east fourteen rods, thence North eighty nine and an half degrees east one hundred thirty three rods, thence south sixty degrees east twenty four rods, thence east eighteen rods, thence south fifty three and an half degrees east fifty rods, thence south forty seven degrees east twelve rods, thence south thirty six and an half degrees east sixteen rods, thence north eighty five degrees east eighty five rods, thence east twenty rods, thence south seventy six degrees east seventy rods, thence south sixty two degrees east eighteen rods, thence south fifty three degrees east twenty one rods, thence south sixty three and an half degrees east eighteen rods, thence North seventy seven and a quarter degrees east sixty two rods, thence north thirty seven degrees east twenty two and an half rods, thence north sixty three degrees east twelve and an half rods,

thence North forty nine degrees east ten and an half rods, thence south fifty three degrees east seventeen rods to where the west line of Antrim crosses the branch of Contucook river, thence south eighty three degrees east thirty four rods, thence south forty five degrees east eleven rods, thence south twenty two degrees east fourteen rods, thence south fifty four degrees east sixteen rods, thence south thirty five and an half degrees east thirteen and an half rods, thence south thirty nine degrees east sixteen rods, thence south nineteen and an half degrees east twenty four rods, thence south fifty five degrees east twenty seven rods, thence south forty eight and an half degrees east twenty two rods, thence south thirty six degrees east twenty eight rods, thence south sixty seven degrees east twenty eight rods, thence south fifty nine and an half degrees east twenty four and an half rods, thence south forty six and an half degrees east twenty rods, thence south thirty one and an half degrees east fifteen and an half rods; thence south twenty two degrees east seventeen and an half rods, thence south forty four degrees east twenty four rods, thence south seventy three degrees east twenty four and an half rods, thence north forty nine degrees east thirty four rods, thence north seventy three and an half degrees east thirty four rods, thence north seventy two and a quarter degrees east two hundred twenty four rods, thence north eighty six degrees east one hundred fifteen rods, thence north seventy degrees east fifty four rods, thence North eighty five and an half degrees east thirty seven rods, thence south seventy one degrees east fifty rods, thence south sixty three degrees east thirty nine rods, thence south twenty two and an half degrees east thirty six rods, thence south thirty two and an half degrees east sixty seven rods, thence south twenty two degrees east fifty rods, thence south seventeen degrees east one hundred seventeen rods, thence south forty two degrees east six hundred eighty two rods, thence south eighty five degrees east one hundred fifteen rods, thence south fifteen and an half degrees east one hundred twenty one rods, thence south one degree east fifty eight rods, thence south seventeen degrees east thirty rods, thence south sixty six and an half degrees east forty seven rods, thence North eighty six and an half degrees east seventy four rods to Contucook river branch, being the east line of Antrim, thence north fifty eight an half degrees east one hundred twenty rods, thence south seventy seven degrees east one hundred rods, thence north seventy six degrees east eighty eight rods thence east two hundred one rods, thence north seventy one degrees east twenty four rods, thence south fifty six degrees east sixty one rods, thence south forty four and an half degrees east fifty six and an half rods, thence south thirteen degrees east twenty three rods, thence south sixteen and an half degrees east twenty eight rods, thence south seventy one degrees east one hundred five rods, thence south eighty eight degrees east seventy six rods, thence south forty degrees east sixty rods, thence south thirty six degrees east

one hundred eighty nine rods, thence south eleven and an half degrees east forty nine rods, thence south thirty two degrees east forty five rods to Lieutenant Mitchel's as noted on the plan, thence south seventy four degrees east forty one rods, thence south sixty four degrees east one hundred twenty rods, thence south twenty two and an half degrees east one hundred eight rods, thence south fifty three and an half degrees east one hundred eighty four rods thence south seventy five degrees east ninety eight rods, thence south twenty eight degrees east forty eight rods, thence south ten and a quarter degrees east fifty rods, thence south twenty five degrees east thirty two and an half rods, thence south forty two degrees east sixty rods, thence south fifty four and a quarter degrees east one hundred sixty five rods, thence south twenty seven degrees east thirty two rods, thence south sixteen degrees east twenty rods to Francistown meeting house, thence south fifty seven and three quarters degrees east thirty eight rods, thence south sixty six degrees east one hundred rods, thence north seventy four and an half degrees east thirty rods, thence south eighty seven degrees east twenty seven rods, thence south fifty eight and an half degrees east thirty rods, thence south seventy nine degrees east eighty rods, thence north eighty nine and a quarter degrees east one hundred thirty two rods, thence north sixty two degrees east forty one rods, thence north thirty three degrees east fifty two rods, thence north sixty nine degrees east one hundred seventy five rods; thence north fifty four and a quarter degrees east one hundred ninety eight rods, thence north eighty seven degrees east sixty rods, thence north ten degrees east twenty seven rods, thence north twenty five degrees east sixty four rods, thence north fifty four degrees east eighty four rods, thence north forty two degrees east one hundred sixty rods, thence south eighty two degrees east forty two rods, thence north eighty and a quarter degrees east one hundred four rods, thence south forty one degrees east thirty seven rods, thence south eighty three degrees east thirty six rods, thence north eighty three and a quarter degrees east sixteen rods, thence south sixty nine degrees east forty eight and an half rods, thence south fifty nine and an half degrees east fifty nine rods, thence south sixty six degrees east eighty eight rods, thence south sixty three and one quarter degrees east fifty eight rods, thence south seventy two and an half degrees east one hundred twenty rods, thence north eighty seven degrees east sixty two rods, thence north sixty nine degrees east twenty five rods, thence north seventy eight degrees east thirteen rods, thence north eighty six and an half degree east fifty rods, thence north sixty two and a quarter degrees east twenty seven rods, thence north sixty eight degrees east twenty one rods, thence north seventy five and an half degrees east one hundred thirty eight rods, thence south eighty three degrees east one hundred six rods, thence north seventy five degrees east one hundred thirty rods to Piscataquog branch, thence north forty eight and a

quarter degrees east forty rods, thence north eighty seven and an half degrees east fifty nine rods, thence south seventy and an half degrees east forty rods, thence south forty six degrees east fifty two rods, thence south eighty two degrees east sixty one and an half rods, thence north forty three and a quarter degrees east thirty seven rods, thence south sixty six degrees, east thirty five rods, thence north sixty six degrees east thirty two rods, thence south eighty two degrees east twelve rods, thence north eighty one and three quarters degrees east thirty rods, thence south fifty three and three quarters degrees east twenty eight and an half rods, thence south eighty degrees east sixty two rods, thence north sixty one and a quarter degrees east eighty one rods, thence north eighty four and three quarters degree east twenty nine rods, thence north forty degrees east one hundred thirty six rods to Piscataquog branch, thence north fifty two degrees east thirty four rods, thence north eighty two and an half degrees east sixty four rods, thence south eighty three degrees east sixty four rods, thence south sixty seven and three quarters degrees east two hundred forty six rods, thence south sixty three degrees east one hundred rods, thence south seventy five and a quarter degrees east ninety two rods, thence south sixty two and an half degrees east thirty two rods, thence north eighty six degrees east seventy rods, thence north eighty five degrees east thirty nine and an half rods, thence south seventy two and an half degrees east eighty four rods, thence south seventy six and an half degrees east one hundred thirty two and an half rods, thence north seventy and an half degrees east thirty eight and an half rods, thence north eighty four degrees east twenty six rods, thence south forty one and a quarter degrees east thirty rods, thence south sixty seven degrees east seventy one rods, thence south fifty two degrees east twenty four rods, thence north sixty eight degrees east twenty eight and an half rods, thence north seventy three degrees east twenty five rods, thence north seventy four degrees east fifty rods, thence north seventy eight degrees east sixty five rods, thence north eighty four degrees east one hundred four rods, thence north fifty nine degrees east thirty-two rods, thence north seventy six degrees east twenty four rods to Goffstown meeting house, thence to continue on the same course thirty eight and an half rods, thence south sixty nine degrees east one hundred twenty eight rods, thence north eighty nine and an half degrees east fifty eight rods, thence north eighty two degrees east eighty rods thence south fifty six and an half degrees east one hundred sixty eight rods, thence south thirty four degrees east sixty rods, thence south fifty three and a quarter degrees east sixty rods, thence south sixty eight degrees east thirty eight rods, thence south eighty and an half degrees east fifty two rods, thence south seventy one degrees east thirty six rods, thence south sixty degrees east thirty eight and an half rods, thence north eighty two degrees east seventy seven rods, thence south fifty seven

and an half degrees east forty seven rods, thence south eleven and an half degrees east twenty rods, thence south twenty six degrees east one hundred four rods, thence south fifty six degrees east one hundred seventy four rods, thence south twenty four and an half degrees east one hundred sixty three rods, thence north eighty five degrees east eighty four rods to Amoskeeg bridge, thence to continue on the same course thirty four & a quarter rods to the easterly end of said bridge, thence north seventy one degrees east eighty three rods, thence south seventy eight degrees east two hundred fifty eight rods, thence south eighty four degrees east one hundred twelve rods, thence north seventy two degrees east five hundred twenty four rods, thence south seventy one and an half degrees east one hundred four rods, thence south fifty degrees east one hundred twenty six rods, thence south fifteen degrees east forty rods, thence south thirty five and an half degrees east twenty two rods to a pitch pine tree, standing on Deerneck in Chester marked 60, the number of Miles from Hale's bridge at Walpole; the s^d road to be four rods wide, and the line above described to be considered as the center thereof; and the inhabitants of the several and respective towns, and proprietors of unincorporated lands through which the said road passes, shall make such part of said road with necessary bridges thereon, as is in each several town, passable and convenient for loaded teams, within one year from the passing of this act, and keep the same in repair in future, agreeable to the laws that now are or may be made hereafter for the repairing of high ways.—

And be it further enacted by the authority aforesaid, That the inhabitants of the several and respective towns, and proprietors of unincorporated lands through which said road passes, shall pay to the owners of the lands in their several towns the following sums as a compensation for the damage by them sustained by the laying said road through their lands, to wit, The inhabitants of Alstead shall pay to John Banks the sum of six pounds, and to Benjamin Baxter the sum of two pounds eight shillings—The inhabitants of Stoddard shall pay to Nathaniel Emerson the sum of four pounds—The inhabitants of Antrim shall pay to James Karr three pounds, to John Karr two pounds eight shillings, to Lemuel Page twelve pounds, to James Steel two pounds eight shillings, to Samuel Caldwell two pounds eight shillings, to William Boyd four pounds ten shillings, to John Duncan Esq^r three pounds— And the inhabitants of Francestown shall pay to the owner of the farm which was lately William Caldwell's six pounds— to John Gibson four pounds ten shillings, to Boyd Hopkins three pounds, to Lieutenant Thomas Mitchel one pound ten shillings, to David Sterret Esq^r four pounds ten shillings, and to Joseph Keys nine pounds— The inhabitants of New-Boston shall pay to James Cairns six pounds— And the inhabitants of Goffstown shall pay to Captain Timothy Eaton four pounds ten shillings, to Trueworthy Sergeant six pounds, to Alexan-

der M^cCoy ten pounds, and to Colonel Robert M^cGregore two pounds eight shillings— And the inhabitants of Derryfield shall pay to Joseph Farmer twelve pounds, and to Ebenezer Stevens two pounds eight shillings— all within Nine Months from the passing this Act— And where the inhabitants of either of the towns aforesaid shall refuse or neglect to pay the several persons aforesaid the sums aforesaid to them respectively therein ordered to be paid— each and every of said persons from whom payment is withholden shall have right to apply to the Court of General sessions of the peace in and for the County in which the town lays where such payment may be withholden, to compel payment of the same; and the several Courts of General sessions of the peace in each several County where the towns aforesaid lay, are hereby authorized and required to give the same remedy to such applicants, as they are by law empowered to give persons injured by laying out roads thro' their lands when the same is done pursuant to the orders of such Courts, any law usage or custom to the contrary notwithstanding.

[CHAPTER 32.]

State of)
New Hampshire. }

AN ACT FOR MAKING & ESTABLISHING A NEW PROPORTION OF PUBLIC TAXES, AMONG THE SEVERAL TOWNS, PARISHES AND PLACES WITHIN THIS STATE; AND TO AUTHORISE THE TREASURER TO ISSUE HIS WARRANTS FOR LEVYING THE SAME ANNUALLY.

[Approved February 22, 1794. Original Acts, vol. 14, p. 53; recorded Acts, vol. 8, p. 339. Laws, 1797 ed., p. 208. See act of February 7, 1789, Laws of New Hampshire, vol. 5, p. 420, also act of December 26, 1798, recorded Acts, vol. 11, p. 122.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the proportion to every thousand pounds of the public taxes, which each town, parish & place within this State shall annually pay, and for which the Treasurer is hereby authorised & directed to issue his warrants shall be as follows, to wit,

FOR THE COUNTY OF ROCKINGHAM.

Allenstown one pound, five shillings & ten pence	£	1	5	10
Atkinson four pounds four shillings & four pence		4	4	4
Bow three pounds five shillings & eight pence		3	5	8
Brintwood eight pounds, one shilling & four pence		8	1	4
Candia seven pounds thirteen shillings & six pence		7	13	6
Canterbury eight pounds & four pence		8	0	4
Chester fourteen pounds eight shillings & six pence		14	8	6
Chichester three pounds twelve shillings & three pence		3	12	3

Conord twelve pounds one shilling	£ 12	1	0
Deerfield twelve pounds nine shillings & ten pence	12	9	10
East Kingston three pounds four shillings & eleven pence	3	4	11
Epping eleven pounds two shillings & six pence	11	2	6
Epsom five pounds, fifteen shillings & four pence	5	15	4
Exeter twelve pounds six shillings & four pence	12	6	4
Greenland five pounds five shillings & two pence	5	5	2
Hampstead five pounds seven shillings & four pence	5	7	4
Hampton eight pounds nine shillings & eight pence	8	9	8
Hampton-falls five pounds eleven shillings & four pence	5	11	4
Hawke three pounds ten shillings & four pence	3	10	4
Kensington seven pounds four shillings & four pence	7	4	4
Kingston seven pounds five shillings & two pence	7	5	2
Londonderry eighteen pounds, nine shillings & one penny	18	9	1
Loudon seven pounds one shilling & four pence	7	1	4
New-castle one pound nine shillings	1	9	0
Newington four pounds, two shillings	4	2	0
Newmarket seven pounds, nineteen shillings & nine pence	7	19	9
Newtown three pounds, six shillings & six pence	3	6	6
Northfield four pounds, nine shillings & ten pence	4	9	10
Northampton six pounds three shillings & two pence	6	3	2
Northwood five pounds, eighteen shillings & one penny	5	18	1
Nottingham seven pounds thirteen shillings & nine pence	7	13	9
Pelham six pounds, seven shillings & seven pence	6	7	7
Pembroke six pounds, eighteen shillings & six pence	6	18	6
Pittsfield five pounds eighteen shillings & eleven pence	5	18	11
Plastow three pounds fourteen shillings & eight pence	3	14	8
Poplin three pounds, eighteen shillings	3	18	0
Portsmouth twenty seven pounds & ten pence	27	0	10
Raymond five pounds, six shillings & six pence	5	6	6
Rye six pounds one shillings & five pence	6	1	5
Salem seven pounds, seven shillings	7	7	0
Sandown four pounds, five shillings & seven pence	4	5	7
Seabrook three pounds seventeen shillings	3	17	0
South Hampton four pounds, nine shillings	4	9	0
Stratham seven pounds, seven shillings & eleven pence	7	7	11
Windham four pounds, thirteen shillings & ten pence	4	13	10
	314	4	3

FOR THE COUNTY OF STRAFFORD.

Barnstead five pounds twelve shillings & one penny	£ 5	12	1
Barrington fifteen pounds, thirteen shillings & eight pence	15	13	8
Conway four pounds, four shillings	4	4	0
Dover fourteen pounds eleven shillings & eight pence	14	11	8
Durham nine pounds, eight shillings & two pence	9	8	2
Eaton one pound, five shillings & one penny	1	5	1
Effingham one pound ten shillings & eight pence	1	10	8
Gilmantown eighteen pounds, eleven shillings & six pence	18	11	6
Lee seven pounds six shillings & eight pence	7	6	8
Madbury four pounds nineteen shillings & six pence	4	19	6
Meredith seven pounds, ten shillings & six pence	7	10	6
Middleton four pounds one shilling & nine pence	4	1	9
Moultonborough three pounds fifteen shillings & eight pence	3	15	8
New Durham three pounds, seven shillings	3	7	0
New Durham Gore two pounds nineteen shillings & eleven pence	2	19	11
New Hampton four pounds twelve & eight pence	4	12	8
Ossipee two pounds fourteen shillings & six pence	2	14	6
Rochester eighteen pounds eleven shillings & seven pence	18	11	7
Sanborntown twelve pounds, twelve shillings & four pence	12	12	4
Sandwich seven pounds one shilling & six pence	7	1	6
Somersworth six pounds five shillings & five pence	6	5	5
Tamworth two pounds one shilling & four pence	2	1	4
Tuftonborough one pound six shillings & nine pence	1	6	9
Wakefield five pounds two shillings—	5	2	0
Wolfeborough three pounds eleven shillings & three pence	3	11	3
	168	17	2

FOR THE COUNTY OF HILLSBOROUGH.

Amherst eleven pounds seven shillings & two pence	11	7	2
Andover four pounds four shillings & four pence	4	4	4
Antrim three pounds eighteen shillings	3	18	0
Bedford six pounds seven shillings & four pence	6	7	4
Boscawen seven pounds eight shillings & six pence	7	8	6
Bradford one pound eleven shillings & one penny	1	11	1
Campbell's Gore fifteen shillings & eight pence	0	15	8
Deering five pounds, twelve shillings	5	12	0
Derryfield two pounds five shillings & seven pence	2	5	7

Dunbarton six pounds ten shillings & one penny	£ 6	10	1
Dunstable four pounds two shillings & nine pence	4	2	9
Fishersfield one pound fifteen shillings & eight pence	1	15	8
Francestown six pounds and two pence	6	0	2
Goffestown eight pounds, two shillings & four pence	8	2	4
Greenfield three pounds, eighteen shillings & seven pence	3	18	7
Hancock three pounds, nineteen shillings & three pence	3	19	3
Henniker seven pounds sixteen shillings	7	16	0
Hillsborough five pounds, ten shillings & four pence	5	10	4
Hollis seven pounds fifteen shillings & five pence	7	15	5
Hopkintown twelve pounds, nineteen shillings	12	19	0
Keasarge Gore nine shillings & eight pence	0	9	8
Lyndeborough six pounds thirteen shillings & eight pence	6	13	8
Litchfield two pounds twelve shillings & four pence	2	12	4
Mason five pounds eight shillings & four pence	5	8	4
Milford four pounds eighteen shillings & one penny	4	18	1
Merrimac five pounds, four shillings & nine pence	5	4	9
New Boston nine pounds, two shillings & nine pence	9	2	9
New Ipswich nine pounds, seven shillings & four pence	9	7	4
New London two pounds four shillings & six pence	2	4	6
Nottingham West six pounds six shillings & three pence	6	6	3
Peterborough seven pounds, six shillings & six pence	7	6	6
Raby two pounds three shillings & one penny	2	3	1
Salisbury ten pounds sixteen shillings & six pence	10	16	6
Sharon one pound twelve shillings & ten pence	1	12	10
Society Land twelve shillings & eight pence	0	12	8
Sutton two pounds ten shillings & eleven pence	2	10	11
Temple four pounds nine shillings & ten pence	4	9	10
Warner five pounds nineteen shillings & eight pence	5	19	8
Weare thirteen pounds seven shillings & eleven pence	13	7	11
Wilton seven pounds four shillings & four pence	7	4	4
	220	11	2

FOR THE COUNTY OF CHESHIRE

Ackworth five pounds five shillings & ten pence	5	5	10
Alstead seven pounds ten shillings & four pence	7	10	4
Charlestown eight pounds four shillings	8	4	0
Chesterfield ten pounds six shillings & six pence	10	6	6
Claremont nine pounds, seven shillings	9	7	0
Cornish seven pounds fourteen shillings & nine pence	7	14	9
Croydon three pounds four shillings & four pence	3	4	4
Dublin six pounds four shillings & one penny	6	4	1

Fitzwilliam six pounds seven shillings & two pence	£ 6	7	2
Hindsdale two pounds seven shillings & ten pence	2	7	10
Gilsom one pound eighteen shillings & six pence	1	18	6
Goshen nineteen shillings	0	19	0
Jaffrey seven pounds nine shillings and eight pence	7	9	8
Keene nine pounds fourteen shillings & six pence	9	14	6
Langdon two pounds & ten pence	2	0	10
Lempster three pounds four shillings & two pence	3	4	2
Marlborough five pounds eight shillings & four pence	5	8	4
Marlow one pound eighteen shillings & three pence	1	18	3
New Grantham two pounds & nine pence	2	0	9
Newport four pounds thirteen shillings & eight pence	4	13	8
Packersfield four pounds nine shillings & three pence	4	9	3
Plainfield seven pounds, nine shillings & eight pence	7	9	8
Richmond eight pounds & eight pence	8	0	8
Rindge seven pounds ten shillings	7	10	0
Springfield two pounds three shillings & one penny	2	3	1
Stoddard four pounds six shillings & ten pence	4	6	10
Surry three pounds fourteen shillings & nine pence	3	14	9
Sullivan two pounds & two pence	2	0	2
Swanzy eight pounds two shillings & eight pence	8	2	8
Unity three pounds eighteen shillings & seven pence	3	18	7
Walpole eleven pounds one shilling & eight pence	11	1	8
Washington three pounds six shillings & eight pence	3	6	8
Wendell one pound & eleven pence	1	0	11
Westmorland nine pounds fourteen shillings & ten pence	9	14	10
Winchester eight pounds fourteen shillings & seven pence	8	14	7
	<hr/>		
	191	13	10

FOR THE COUNTY OF GRAFTON

Alexandria two pounds & ten pence	2	0	10
Bartlett one pound three shillings	1	3	0
Bath three pounds three shillings & one penny	3	3	1
Bretton woods nine shillings & six pence	0	9	6
Bridgwater two pounds six shillings & ten pence	2	6	10
Burton sixteen shillings & eight pence	0	16	8
Cambridge eleven shillings & five pence	0	11	5
Campton three pounds six shillings & one penny	3	6	1
Canaan three pounds eighteen shillings	3	18	0
Chatham ten shillings & nine pence	0	10	9
Cockburne twelve shillings & seven pence	0	12	7
Cockermouth one pound seventeen shillings & one penny	1	17	1
Colebrook fifteen shillings & eight pence	0	15	8

Concord in the County of Grafton two pounds five shillings & four pence	£	2	5	4
Coventry twelve shillings & four pence	0	12		4
Dalton twelve shillings & three pence	0	12		3
Dartmouth thirteen shillings & one penny	0	13		1
Dorchester one pound ten shillings	1	10		0
Dummer eleven shillings & three pence	0	11		3
Enfield five pounds thirteen shillings & eight pence	5	13		8
Errol eleven shillings & three pence	0	11		3
Franconia seventeen shillings & seven pence	0	17		7
Grafton two pounds eleven shillings & seven pence	2	11		7
Hanover seven pounds thirteen shillings & five pence	7	13		5
Haverhill four Pounds eighteen shillings	4	18		0
Hebron one pound three shillings & two pence	1	3		2
Kilkenny eleven shillings & two pence	0	11		2
Lancaster one pound eight shillings & seven pence	1	8		7
Landaff two pounds six shillings & five pence	2	6		5
Lebanon eight pounds six shillings & eight pence	8	6		8
Lime four pounds sixteen shillings & eight pence	4	16		8
Lincoln ten shillings & eleven pence	0	10	11	
Littleton fourteen shillings & one penny	0	14		1
Lyman one pound twelve shillings & five pence	1	12		5
Millsfield eleven shillings & three pence	0	11		3
New Chester two pounds seven shillings & four pence	2	7		4
New Holderness two pounds seven shillings & five pence	2	7		5
Northumberland one pound three shillings & nine pence	1	3		9
Orange fifteen shillings & two pence	0	15		2
Orford three pounds six shillings & eight pence	3	6		8
Peeling ten shillings & eleven Pence	0	10	11	
Percy nine shillings & six pence	0	9		6
Piermont two pounds twelve shillings & one Penny	2	12		1
Plymouth four pounds twelve shillings & one penny	4	12		1
Rumney two pounds six shillings & one penny	2	6		1
Shelburne eleven shillings & two pence	0	11		2
Stratford eighteen shillings & five pence	0	18		5
Success nine shillings & six pence	0	9		6
Thornton two pounds eleven shillings & eight pence	2	11		8
Trecothic eleven shillings & two pence	0	11		2
Warren one pound ten shillings & two pence	1	10		2
Wentworth one pound eighteen shillings & one penny	1	18		1
Mainsburgh nine shillings & six pence	0	9		6
Paulsburgh nine shillings & six pence	0	9		6
Whitefields nine shillings & six pence	0	9		6
Durand eleven shillings & eleven pence	0	11	11	
Stewartstown sixteen shillings & two pence	0	16		2

LOCATIONS & GORES

Thomas Chadbourne remitted	£	0	0	0
Goffe's four pence		0	0	4
M. H Wentworth's one shilling		0	1	0
Rogers' & Treadwell's two shillings & ten pence		0	2	10
Sterling's one shilling and six pence		0	1	6
Martin's one penny		0	0	1
Sherburne & others' one shilling & four pence		0	1	4
Theophilus Dame's four pence		0	0	4
John Hurd's four pence		0	0	4
Stephen Holland's four pence		0	0	4
Archibald Starks' one shilling & five pence		0	1	5
Samuel Hale's one shilling & four pence		0	1	4
Francis Green one penny		0	0	1
Samuel Starks' one shilling		0	1	0
Rindge & Peirce one shilling & four pence		0	1	4
		104	13	7

And Be it further enacted That the said Proportion shall be for all public taxes, until a new proportion shall be made & established; & that the Treasurer for the time being issue his warrants accordingly—

[CHAPTER 33.]

State of }
New Hampshire. }

AN ACT TO ESTABLISH AN EQUITABLE METHOD OF MAKING RATES AND TAXES—AND COLLECTING SUCH AS ARE NOW DUE FROM, OR MAY HEREAFTER BE ASSESSED ON, SUCH TOWNS & PLACES AS ARE, OR MAY BE, INCAPABLE OF CHOOSING TOWN OFFICERS.

[Approved February 22, 1794. Original Acts, vol. 14, p. 54; recorded Acts, vol. 8, p. 353. Laws, 1797 ed., p. 202; id., 1805 ed., p. 448; id., 1815 ed., p. 544. See acts of February 7, 1789, Laws of New Hampshire, vol. 5, p. 429; February 8, 1791, Laws, 1797 ed., p. 196; December 28, 1791, id., 1815 ed., p. 541; January 5, 1792, id., p. 543; June 17, 1796, id., 1797 ed., p. 207.]

Be it Enacted by the Senate and House of Representatives in General Court convened that henceforward all public taxes shall be assessed on the Polls & rateable estates in the manner following—to wit, Each Male Poll from eighteen to Seventy years of age to be valued at eight shillings—Stallion or Steed horses which have been wintered three winters, each at one pound ten Shillings—Other horses & mares which have been wintered five winters, each at four Shillings— Other Horses and Mares which have been win-

tered four winters only, each at three Shillings—Other horses and Mares which have been wintered three winters only, each at two Shillings—Other horses & Mares which have been wintered two winters only, each at one shilling—Oxen which have been wintered five winters, each at three Shillings—Cows which have been wintered five winters, each at two Shillings—All other Neat Stock which has been wintered four winters only, each at one Shilling & Six pence—All other Neat Stock which has been wintered three winters only one Shilling each—All other neat Stock which has been wintered two winters only, each at Six pence, reckoning the winter to begin the first day of December & to end the last day of March;

Orchard Land, accounting so much for an Acre as will one year with another make ten barrells of cyder or perry, each acre at one Shilling and Six pence—Arable land, accounting so much for an acre as will produce twenty five bushels of Indian Corn or other grain equivalent one year with another at one Shilling each acre—Mowing land, accounting so much an acre as will produce one Ton of English hay, or other hay equivalent one year with another at one Shilling for each acre—Pasture land, accounting so much as will keep one Cow one year with another four acres, each acre at five pence—

Mills, Wharves & ferries to be estimated at one twelfth part of their Net yearly income, after deducting repairs—All other buildings and unimproved lands, whether owned by Inhabitants, or Non-residents, at half one per Cent of the real value—All Stock or property whether of Tanners, Curriers, Blacksmiths, or other Tradesmen employed in the business of their trades, at half one per Cent—All Stock in trade of Merchants, Shop keepers, or other traders, reckoning the Same at the average value thereof for a year, at half one per Cent—All money on hand or at Interest, more than the owner pays Interest for, at three quarters of one per Cent—All property in Publick funds to be estimated at the Same rate according to its real value.—

And Be it further Enacted that the Collectors of taxes, & the person appointed to receive nonresident taxes, shall proceed in the business of collecting the taxes levied upon the real Estates of Non-residents in all things agreeably to the Laws of this State now in force; excepting that the said Receiver of Nonresident taxes shall publish his notification of such taxes in a Newspaper printed (if such there be) in the County where such estate may lie and not in a Boston Newspaper; And the Collector of such taxes shall publish his advertisement for the Sale of such Estate in a Newspaper printed (if such there be) in the County where Such estate may lie, as well as in the New hampshire Gazette—

And Be it further Enacted that when any taxes are or shall be proportioned to any town or place not incorporated, having so few Inhabitants as to be incapable of choosing Town Officers, The Treas-

urer of the State shall assess the Proportion of such town or place, and commit the same to the Sheriff of the County where the lands lie, with a Warrant under his hand and Seal empowering said Sheriff to collect the Same; and every such Sheriff shall have the same power & authority respecting the taxes committed to him to collect, which Collectors of Towns have with respect to the taxes of non-residents; and Shall observe the same directions, which are by Law pointed out—And he Shall in all Cases advertise also in the Shire or in one of the nearest half Shire towns in the County where such lands may lie—And shall also hold his Sales in Such Shire or half Shire town; and may give deeds in the Same form (*mutatis mutandis*), which deeds shall be of equal efficacy as those given by Collectors chosen by Incorporated Towns—And The Treasurer shall have like remedy by Extent against Such Sheriffs as he by Law has against Collectors.—And the Treasurer may always presume that a town or place is incapable of choosing Town Officers, where no Return of a Collector is made to him on or before the last day of December in each year; And unless the Treasurer is Certified under the hand of the Clerk of the Proprietors of any such town, or place, before the said last day of December in each Year, that such town or place is divided among the Proprietors; and also Served with a Copy of such division or Partition so as to enable him to tax the Several owners of the Same, He shall assess the whole in one sum; But if he is so certified, he shall assess the original owners according to their several Interests in Quantity without regard to the Quality of their lands; and in either case his proceedings shall be good and valid, any proceedings of the proprietors notwithstanding.—

And Be it further Enacted that the Several & respective County Treasurers in this State shall have like power & authority respecting County taxes as is in this Act given to the State Treasurer, and may pursue the same measures in collecting County taxes. And the Sheriffs, to whom any such warrants for collecting County taxes are delivered, shall have the same authority, and proceed in the Same manner as is herein provided for them to collect State taxes And Deeds by them given in similar form shall be equally valid—

And Be it further Enacted that where any taxes have heretofore been assessed to the State or to any particular County, and yet remain unpaid, the same may be collected in the Same manner, as taxes hereafter to be assessed, are by this Act ordered to be collected—

And Be it further Enacted that for all taxes heretofore apportioned to Townships & places of the foregoing description agreeably to the Several Laws of the State, and now remaining unpaid; and where Collectors have not been returned; The Selectmen or Assessors, for the time being, shall make out in one Sum the whole amount of the several Years taxes now due, first reducing the paper taxes to Seven Shillings Specie, for every twenty Shillings paper, And

may appoint a Collector thereof, who shall have the same power as any other Collectors by Law have—And the said Collectors, at any time before the last day of December next, may be returned to the Treasurer; And in case such Collectors are not returned, the Several Treasurers shall have the same power of assessing in one sum the said arrears, as the Selectmen and Assessors have by this act—And the respective Treasurers and Sheriffs are hereby as fully empowered with respect to assessing & collecting said arrears, as by this Act are given in other cases—

And Be it further Enacted that the Sheriff shall be allowed for the Services herein prescribed double the poundage given by Law on Executions, the Printer's Bill for advertisement, and legal postage for letters for procuring the said advertisements to be published, and for posting the notice required by the Laws of the State, which shall be considered full compensation for such services—Provided, that no Collector or Sheriff shall execute a deed of any real Estate by him sold for taxes, until the time for redeeming the same shall be expired; provided such time of redemption shall not exceed the term of twelve months from the time of sale— And in case any Sheriff, or Collector, shall die, remove, or any way be rendered incapable of completing the duty of such office, their Successors respectively shall complete the same.

And if any person whatsoever shall pay or tender the amount of any one tax and the legal charges and the Interest thereof, to such Sheriff or Collector or their Successors at any time before a deed or deeds of such lands shall be actually executed, no further proceedings shall be had thereupon—

And Be it further Enacted that the Inhabitants of Portsmouth in this State shall exhibit to the Selectmen thereof, annually, at such time and place as they shall appoint, each one a Just and true account of his Poll and rateable Estate according to this Act— And the Several parishes in said Portsmouth shall have liberty at their parish meetings to raise their Ministerial and Parochial taxes in any manner they shall Judge proper—

[CHAPTER 34.]

State of }
New Hampshire. }

AN ACT TO REPEAL A CERTAIN RESOLVE THEREIN MENTIONED—

[Approved February 22, 1794. Original Acts, vol. 14, p. 55; recorded Acts, vol. 8, p. 362.]

Doubts having arisen, and expensive litigations taken place with respect to the force and operation of a certain Resolve, passed February Seventeen hundred Sixty eight, under Authority of the late Province now State of New Hampshire, "giving Liberty to James

"White and Samuel Kimball to Poll off from Atkinson to Plaistow "with their families and Estates real and personal," &c— and the Causes for passing said Resolve having ceased it is unnecessary that it be any longer continued— Therefore

Be it Enacted by the Senate and House of Representatives in General Court convened, that the aforementioned Resolve and every part thereof be and hereby is repealed—

Provided only that Sarah White Widow and Relict of the afore named James White with the Estate she now owns shall, during her natural life, be exempted from all Town, parish and ministerial Taxes to said Atkinson—

[CHAPTER 35.]

AN ACT TO PROMOTE THE ENCREASE OF SHEEP IN THIS STATE—

[Approved February 22, 1794. Original Acts, vol. 14, p. 56; recorded Acts, vol. 8, p. 364. Laws, 1797 ed., p. 393; id., 1805 ed., p. 358; id., 1815 ed., p. 416; id., 1830 ed., p. 209.]

Whereas the encrease of Sheep would be of very great utility to the Inhabitants of this State but by reason of many persons suffering their rams to run at large at all times of the year the number of Sheep, by the weaning of lambs at an unsuitable Season, is rather diminished than encreased—for remedy whereof Be it Enacted by the Senate and House of Representatives in General Court convened that from & after the passing of this Act no ram shall be suffered to go at large within this State from the tenth day of August to the fifteenth day of November annually on the penalty of Twenty shillings for each ram, as often as the same shall be found out of the owner's inclosure between the days aforesaid, which penalty shall be paid by the owner of the ram so found to the person or persons who shall impound the same, which any person is Hereby as fully authorized to do as he may by the present Laws impound beasts taken damage feasant.

And every person who shall impound any ram found as aforesaid shall immediately give personal notice thereof to the owner or owners of such ram or Rams, if known, and if unknown, the person or persons impounding such ram shall post up an advertisement in writing particularly describing him and the time and place of his being impounded at two or more public places in the town parish or place where such ram or rams shall be so impounded, for the space of five days; And if no owner shall appear to claim such Ram or Rams within that time; or appearing, shall refuse to pay the said penalty with all legal incident charges, then the said Ram or Rams shall become forfeited to the person or persons impounding the same to be by him or them appropriated to his or their own use—

[ORDERS, RESOLVES AND VOTES OF A LEGISLATIVE NATURE PASSED
DURING THIS SESSION.]

1794, January 23.

Proceeded to consider the propriety or impropriety of an Alteration in the Constitution of the United States, respecting the Sueability of a State &c and came to the following vote (viz) That in the Opinion of this Convention the Senators from this state in the Congress of the United states be Instructed and the Representatives requested to use their utmost endeavours to obtain at their present Session such amendments in the Constitution of the United States as to prevent the possibility of a Construction which may justify a decision that a state is compellable to answer to the suit of an Individual or Individuals in the Courts of the United states—

[House Journal, 1790-94, p. 629.]

[THIRD GENERAL COURT.]

[*Held at Amherst and Concord, Two Sessions, June 4, 1794, to January 16, 1795.*]

[OFFICERS OF THE GOVERNMENT.]

JOHN TAYLOR GILMAN, GOVERNOR.

JOSEPH PEARSON, SECRETARY.

NATHANIEL PARKER, DEPUTY SECRETARY.

OLIVER PEABODY, TREASURER.

JOSHUA ATHERTON, ATTORNEY GENERAL.

¹ OLIVER PEABODY,	}	PRESIDENT OF THE SENATE.
ABIEL FOSTER,		
EBENEZER SMITH,		

JOHN PRENTICE, SPEAKER OF THE HOUSE.

¹ Oliver Peabody resigned as President of the Senate and June 9, 1794, Abiel Foster was chosen to fill the vacancy. The latter resigned January 16, 1795, and Ebenezer Smith was elected President of the Senate.

[MEMBERS OF THE COUNCIL.]

Christopher Toppan,	Hampton.
Ebenezer Smith,	Durham.
Robert Wallace,	Henniker.
Thomas Bellows,	Walpole.
Jonathan Freeman,	Hanover.

[MEMBERS OF THE SENATE.]

Moses Leavitt,	North Hampton.
¹ Oliver Peabody,	Exeter.
Joseph Blanchard,	Chester.
² Abiel Foster,	Canterbury.
¹ Samuel Hale,	Barrington.
Ebenezer Smith,	Meredith.
William Gordon,	Amherst.
James Flanders,	Warner.
Charles Barrett,	New Ipswich.
³ Elisha Whitcomb,	Swanzey.
John Bellows,	Walpole.
Moses Baker,	Campton.

¹ Oliver Peabody and Samuel Hale having resigned, Phillips White of South Hampton and John Waldron of Dover were elected, in convention June 17, 1794, to fill the vacancies.

² Abiel Foster resigned as Senator and President of the Senate January 16, 1795, and Ebenezer Smith was chosen President.

³ The name of Benjamin Whitcomb instead of Elisha appears at the beginning of the second session.

[MEMBERS OF THE HOUSE.]

Acworth,	William Grout.
Alexandria. See New Chester.	
¹ Allenstown. See Epsom.	
Alstead,	Moses Hale.
Amherst,	Daniel Warner.
Andover. See New London.	
Antrim. See Hancock.	
Atkinson and }	Nathaniel Peabody.
Plaistow, }	
Barnstead,	Charles Hodgdon.
Barrington,	Isaac Waldron.
	William Hale.
Bartlett. See Conway.	
Bath, }	
Landaff and }	Peter Carleton.
Lincoln, }	
Bedford,	Stephen Dole
Boscawen,	Enoch Gerrish.
¹ Bow. See Dunbarton.	
Brentwood,	Gilman Leavitt.
Bridgewater. See New Chester.	
Burton. See Tamworth.	
Campton. See Holderness.	
Candia,	Samuel Morrill.
Canaan. See Orange.	
Canterbury,	David McCrillis.
Charlestown and }	Samuel Stevens.
Langdon, }	
Chester,	Arthur Livermore.
Chesterfield,	Simon Willard.
Claremont,	Benjamin Sumner.
Cockburne. See Northumberland.	
Cockermouth. See Hebron.	
Colburne. See Northumberland.	
Concord,	Daniel Livermore.
Concord (Lisbon). See Lyman.	
Conway and }	Obed Hall.
Bartlett, }	
Cornish,	Daniel Chase.

Coventry.	See Haverhill.	
Croydon and	}	Edward Hall, Jr.
Wendell,	}	
Dalton.	See Littleton.	
Dartmouth.	See Littleton.	
Deerfield,		Joseph March.
Deering,		Robert Alcock.
Derryfield.	See Litchfield.	
Dorchester.	See Hebron.	
Dover,		John Waldron.
John Waldron was elected Senator and Andrew Torr was chosen to fill the vacancy.		
Dublin and	}	Samuel Twitchell.
Packersfield,	}	
¹ Dunbarton and	}	David Story.
Bow,	}	
Dunstable,		Noah Lovewell.
Durham,		Ebenezer Thompson, Jr.
East Kingston.	See South Hampton.	
Eaton.	See Tamworth.	
Effingham.	See Wakefield.	
Enfield,		Jesse Johnson.
Epping,		Jonathan Clark.
¹ Epsom and	}	Michael McClary.
Allenstown,	}	
Exeter,		Benjamin Connor.
Fitzwilliam,		Nahum Parker.
Francetown,		Jonathan Fisk.
Franconia.	See Lyman.	
Gilmanton,		Joseph Badger, Jr.
		Samuel Greeley.
Gilsum.	See Surry.	
Goffstown,		John Pattee.
Grafton.	See Orange.	
Greenland.		Joshua Weeks.
Hampstead,		John Hogg.
Hampton,		Jeremiah Moulton.
Hampton Falls and	}	Elisha Brown.
Seabrook,	}	
Hancock and	}	Samuel Gordon.
Antrim,	}	
Hanover,		Ebenezer Brewster.
Haverhill and	}	Nathaniel Merrill.
Coventry,	}	
Hawke and	}	Timothy Tilton.
Sandown,	}	

Hebron,	}	Josiah Hobart.
Cockermouth and		
Dorchester,		
Henniker,		Timothy Gibson.
Hillsborough,	}	Benjamin Pierce.
Hinsdale,		Uriel Evans.
Holderness,		
Campton and		Moses Baker.
Thornton,	}	

Moses Baker was elected to the Senate and Moses Nichols was chosen to fill the vacancy.

Hollis,	Jeremiah Ames.
Hopkinton,	Thomas Bailey.
Jaffrey,	Joseph Thorndike.
Keene,	Jeremiah Stiles.

Jeremiah Stiles served until August 25, 1794, when Daniel Newcomb was elected.

Kensington,	Jeremiah Fogg.
Kingston,	John Eastman.

Lancaster. See Littleton.
Landaff. See Bath.
Langdon. See Charlestown.

Lebanon,	David Hough.
Lee,	James Brackett.

Lempster and	}	James Bingham.
Marlow,		

Lincoln. See Bath.

Litchfield and	}	Robert Parker.
Derryfield,		

Littleton,	}	James Williams.
Dalton,		
Dartmouth and		
Lancaster,		

Londonderry,		John Prentice.
		James Pinkerton.
		Enoch Wood.

Loudon,	}	Samuel Young.
Lyman,		
Concord (Lisbon) and		
Franconia,		

Lyme,		John Fairfield.
Lyndeborough,		Peter Clark.
Marlborough,		Phineas Farrar.

Marlow. See Lempster.

Mason,		Obadiah Parker.
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Meredith and	}	Thomas Simpson.
New Hampton,		

In the December session Meredith was represented by Chase Robinson.

Merrimack,	Timothy Taylor.
Middleton. See Wakefield.	
Moultonborough,	Reuben Libbey.
Tuftonboro,	
Ossipee and	
Wolfeboro,	
New Boston,	Ninian Clark.
Newcastle. See Rye.	
New Chester,	Thomas Crawford.
Bridgewater and	
Alexandria,	
New Durham and	Joseph Pierce.
New Durham Gore,	
New Grantham. See Springfield.	
New Hampton. See Meredith.	
Newington,	Ephraim Pickering.
New Ipswich,	Jeremiah Pritchard.
New London,	Matthew Harvey.
Andover and	
Sutton,	
Newmarket,	Josiah Adams.
Newport,	Uriah Wilcox.
Newton,	James Peaslee.
North Hampton,	Moses Leavitt.

Moses Leavitt was elected Senator and Thomas Leavitt was chosen to fill the vacancy.

Northumberland,	Jeremiah Eames.
Piercy,	
Stratford,	
Cockburne,	
Colburne,	
Shelburne and	
Stewartstown,	
Northwood,	Jonathan Clark.
Nottingham,	Joseph Cilley.
Nottingham West,	Asa Davis.
Orange,	John Burdick.
Canaan and	
Grafton,	
Orford and	Absolam Peters.
Wentworth,	

John Mann was elected representative for the December session.

Ossipee. See Moultonborough.
Packersfield. See Dublin.

Pelham,	Amos Moody.
Pembroke,,	Nathaniel Head.
Peterborough,	John Smith.
Piercy. See Northumberland.	
Piermont and }	
Warren, }	Russell Richards.
Plainfield,	Ebenezer Wright.
Plaistow. See Atkinson.	
Plymouth and }	
Rumney, }	Abraham Burnham.
Poplin. See Raymond.	
Portsmouth,	George Gains.
	John Hale.
	John Goddard.
Raymond and }	Ezekiel Godfrey.
Poplin, }	
Richmond,	Rufus Whipple.
Rindge,	Daniel Rand.
Rochester,	Aaron Wingate.
	William Palmer.
Rumney. See Plymouth.	
Rye and }	
Newcastle, }	Joseph Parsons.
Salem,	Joseph Wardwell.
Salisbury,	John C. Gale.
Sanbornton,	William Harper.
Sandown. See Hawke.	
Sandwich,	Daniel Beede.
Seabrook. See Hampton Falls.	
Sharon and }	
Temple, }	Abijah Wheeler.
Shelburne. See Northumberland.	
Somersworth,	James Carr.
South Hampton and }	
East Kingston, }	Benjamin Barnard.
Springfield and }	
New Grantham, }	Joab Young.
Stewartstown. See Northumberland.	
Stoddard,	Nathaniel Emerson.
Stratford. See Northumberland.	
Stratham,	Stephen Piper.
Surry,	
Gilsum and }	John McCurdy.
Sullivan, }	
Sutton. See New London.	
Swanzy,	Calvin Frink.

Tamworth,	}	Orlando Weed.
Eaton and		
Burton,		
Temple.		See Sharon.
Thornton.		See Holderness.
Tuftonboro.		See Moultonborough.
Wakefield,	}	William Chamberlain.
Middleton and		
Effingham,		
Walpole,		Thomas Bellows.

Thomas Bellows was elected Councilor and Amasa Allen was chosen to represent the town.

Warner,	Aquila Davis.
Warren.	See Piermont.
² Washington,	Azariah Faxon.
Weare,	Obadiah Eaton.
Wendell.	See Croydon.
Wentworth.	See Orford.
Westmoreland,	Joseph Burt.
Wilton,	Abiel Abbott.
Winchester,	Daniel Hawkins.
Windham,	James Gilmore.
Wolfeboro.	See Moultonborough.

¹ In the June session Allenstown was classed with Epsom, and Bow with Dunbarton. In the December session Allenstown was classed with Bow, sending Benjamin Noyes. Michael McClary represented Epsom and David Story represented Dunbarton.

² It was decided that the representative from Washington was not constitutionally entitled to a seat in the House. See House Journal, 1790-94, p. 714.

[*First Session, Held at Amherst, June 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 1794.*]

[CHAPTER 1.]

State of }
New Hampshire. }

AN ACT FOR THE PROTECTION OF SAMUEL BOYD—

[Approved June 12, 1794. Original Acts, vol. 14, p. 57; recorded Acts, vol. 8, p. 367.]

Whereas Samuel Boyd has represented to the General Court that he is under a necessity of attending upon said Court the present Session— and that his embarrassed situation is such as would ren-

der him liable to be arrested on civil process— unless protected— Therefore— Be it Enacted by the Senate & House of Representatives in General Court convened, that the said Samuel Boyd be exempted from all arrests on civil process during the present session of the General Court, any Law Usage or Custom to the contrary notwithstanding—

[CHAPTER 2.]

State of }
New Hampshire. }

AN ACT TO REPEAL AN ACT PASSED THE FIFTEENTH DAY OF JANUARY ANNO DOMINI ONE THOUSAND SEVEN HUNDRED & EIGHTY NINE ENTITLED “AN ACT FOR OPENING SLUICES IN EACH DAM ACROSS ASHUELET RIVER SO THAT SALMON & OTHER FISH MAY HAVE FREE PASSAGE THROUGH THE SAME FROM CONNECTICUTT RIVER”

[Approved June 16, 1794. Original Acts, vol. 14, p. 58; recorded Acts, vol. 8, p. 369. The act referred to is printed in Laws of New Hampshire, vol. 5, p. 343.]

Whereas the aforesaid Act doth not answer the beneficial purposes for which the same was enacted— Therefore—

Be it enacted by the Senate and House of Representatives in General Court convened, that the above mentioned Act, be and the same hereby is repealed—Provided nevertheless that the aforesaid Act shall continue in full force as to all matters transacted during its existence, to which the same relates, to all intents & purposes as though this Act had not been passed—

[CHAPTER 3.]

State of }
New Hampshire. }

AN ACT AUTHORIZING CERTAIN APPEALS, PETITIONS AND COMPLAINTS TO BE ENTERED AT THE NEXT SUPERIOR COURT OF JUDICATURE IN THE COUNTIES OF HILLSBOROUGH, CHESHIRE & GRAFTON

[Approved June 16, 1794. Original Acts, vol. 14, p. 59; recorded Acts, vol. 8, p. 370.]

Be it enacted by the Senate and House of Representatives in General Court convened, that all Appeals, Petitions and Complaints, which might have been entered at the *last* Superior Court of Judicature in the Counties of Hillsborough, Cheshire and Grafton; may be

entered at the *next* Superior Court of Judicature to be holden in the Counties aforesaid respectively; and heard tried and determined in the same way and manner as though they had been regularly entered—any Law, usage or custom to the Contrary notwithstanding—

[CHAPTER 4.]

State of }
New Hampshire. }

AN ACT TO RESTORE WILLARD BUTTERFIELD TO HIS LAW—

[Approved June 16, 1794. Original Acts, vol. 14, p. 60; recorded Acts, vol. 8, p. 372.]

Whereas Willard Butterfield of Westmoreland in the County of Cheshire and State of New Hampshire Yeoman has petitioned this Court for relief in a Suit, brought against him as Trustee of one Elisha Fullum by John Morgan of the City and County of Hartford in the State of Connecticut, on which judgement was rendered at September Term A D 1793 and Execution thereon issued and levied—the prayer of which petition appearing reasonable.—

Be it enacted by the Senate and House of Representatives in General Court convened—that the said Willard Butterfield have liberty to review said action at the next Court of Common Pleas, to be holden in and for said County of Cheshire, on the fourth Tuesday of September next in the Same manner as though the same had not been defaulted—he serving a Writ of Review on the said Morgan, if in this State, or otherwise on the Attorney, who appeared in the Action at the Court, where the same was defaulted in the same manner as Writs of review are required by Law to be served in other cases.—And be it further enacted, that at the review of said Action the said Willard Butterfield shall have the same liberty of disclosing on oath, money, Goods, Chattels, rights or Credits he had in his hands of the said Fullum, at the Time of the service of the original Writ in said action and the said Morgan Shall have the same right of producing evedence respecting the same, that either of them had by Law a right to at the first Term of the Court at which said action was entered; and the same proceedings shall be had in said Case to all intents and purposes as ought by Law to have been had at the Court, where the said action was first entered, if the said Butterfield had then appeared.—And be it further enacted, that the said Court of Common Pleas for said County of Cheshire be and they hereby are authorizd and required to sustain said Action of review and determine thereon in the same manner as they would by Law have done, if the said Butterfield had appeared at the first Court to which the same was brought and there offered

to disclose any Interest of said Fullum in his hands & to reverse the former judgement in whole or in part, or affirm the same, as shall appear upon the evidence to be according to Law and justice, and render judgement and issue Execution accordingly—from which judgement either party shall have right to appeal to the Superior Court as in other cases.—

[CHAPTER 5.]

State of }
New Hampshire. }

AN ACT TO ESTABLISH THE TIMES AND PLACES OF HOLDING THE
COURTS OF LAW IN AND FOR THE COUNTY OF STRAFFORD.—

[Approved June 17, 1794. Original Acts, vol. 14, p. 61; recorded Acts, vol. 8, p. 375. Laws, 1797 ed., p. 61. See the act of December 15, 1796, id., p. 468.]

Be it enacted by the Senate and House of Representatives in General Court convened that the Superior Court of Judicature shall be holden at Dover for the County of Strafford on the second tuesdays of April and September annually—And the Court of Common Pleas for said County shall be holden at said Dover on the third tuesday of February annually— and at Rochester in or as near as convenient to the Meeting house in said Rochester at a place called Norway plains on the fourth tuesday of June annually— and at Gilmantown in or as near as convenient to the Reverend M^r Smith's meeting house on the third tuesdays of August and November annually—And the Court of General Sessions of the Peace for said County of Strafford shall be holden at said Gilmantown on the thursday next following the third tuesday of August next, any law usage or custom to the contrary notwithstanding.

And be it further enacted, That all writs warrants venires recognizances appeals actions indictments and processes of every kind returnable to or sustainable by the superior Court of judicature next to be holden at a place called New Durham Gore in said County, the Court of Common Pleas, and Court of General Sessions of the Peace to be holden at said New Durham Gore shall be returned to and sustained by the respective Courts to which they are or shall be, returnable next to be holden at Dover and Gilmantown aforesaid.—

[CHAPTER 6.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AND AMENDMENT OF AN ACT ENTITLED AN ACT TO PREVENT DAMAGE WHICH MAY BE DONE BY LUMBER TO THE OWNERS OF LANDS LYING ON AND ADJOINING CONNECTICUTT RIVER AND MERRYMACK RIVER PASSED THE FOURTH DAY OF JANUARY ONE THOUSAND SEVEN HUNDRED AND NINETY TWO—

[Approved June 17, 1794. Original Acts, vol. 14, p. 62; recorded Acts, vol. 8, p. 378. Laws, 1797 ed., p. 368; id., 1805 ed., p. 346. The act referred to is printed in Laws of New Hampshire, vol. 5, p. 839. See additional act of June 14, 1800, Laws, 1805 ed., p. 347. Repealed by the act of December 28, 1805, id., 1815 ed., p. 397.]

Be it enacted by the Senate and House of Representatives in General Court conven'd, That from and after the first day of may next, if any Lumber such as Masts Spars or logs of any kind which have been or may be put into either of the said rivers on the Streams runing into them and may be by the waters thereof carried or lodged on any improved Lands adjoining the same in this State and which may not be taken away by the owner or owners, his or their agent or agents on or before the tenth day of may annually it shall and may be Lawful for the owner or owners of the Said Land to detain in his or their possession all such masts, Spars and other Lumber untill the owner or owners Thereof his or their agent or agents pay the owner or owners of the Land so incumbered all the Damage Sustain'd by reason of said Lumber lying on his or their Land as aforesaid and in case the owner or owners of Such incumbrance or his or their agent or attorney and the owner or owners of Such Lands so incumbered Shall not agree upon the Damage—Sustained as aforesaid the Selectmen of the Town where such Lands lye or the Major part of them, in case they be not interested Shall adjust the Same and in case a Major part of Said Selectmen are interested Therein any three Justices of the peace in the County where such Lands lye who are not interested shall adjust the said Damage done as aforesaid which shall be final and conclusive between the said parties,—

And be it further enacted that if such incumbrances Shall not be removed by the owner or owners thereof or his or their agent or agents on or before the first day of November annually Then the owner or owners of Such Lands so incumbered may take all Such incumbrances and convert the same to his or their own use—Provided always that when the owner or owners of Such Masts Spars and other lumber as aforesaid Shall have paid the Damage as aforesaid the owner or owners of all such Lumber Shall have Lib-

erty to remove the same from all such improved Lands any time between the said first day of November and the first day of may then next—Any Law usage or Custom to the contrary Notwithstanding—

[CHAPTER 7.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AND ALTERING OF AN ACT, ENTITLED AN ACT "TO REGULATE THE PROCEEDINGS FOR EXTINGUISHING FIRES THAT MAY BE ACCIDENTALLY OR OTHERWISE KINDLED AMONG BUILDINGS, TO PREVENT THE KEEPING FIRES IN UNSUITABLE HOUSES OR PLACES, TO PRESERVE GOODS ENDANGERED BY SUCH FIRES AND TO REMOVE OR DEMOLISH BUILDINGS JUDGED TO BE DANGEROUS TO THE PUBLIC SAFETY." —

[Approved June 17, 1794. Original Acts, vol. 14, p. 63; recorded Acts, vol. 8, p. 381. Laws, 1797 ed., p. 358; id., 1805 ed., p. 324; id., 1815 ed., p. 382. The act referred to is dated April 6, 1781, 1815 ed., p. 378. See additional act of November 30, 1803, id., p. 383.]

Whereas the said Act is found by experience to be deficient.—

Be it enacted—by the Senate and House of Representatives in General Court convened, that instead of the time limited in said Act for the firewards to give notice in certain cases therein expressed they are hereby authorized to give notice for such time as in their opinion the exigency of the case may require & after such notice may proceed as in said Act is provided—

And be it further enacted— That the said fireward shall have the same power with respect to Houses or places within their limits where the Owner is not known or no person claims to be Owner, whether occupied or not as by said Act they have in other cases; the expence of repairs to be defrayed by the Rents of said building or buildings which the Select Men are hereby impowered to receive until they are reimbursed the necessary expence, and in case of demolition that the expence be paid by sale of the Materials & the overplus, (if any there be), be retained in the hands of the Select Men for the use of the Owner or Owners if applied for within one year, otherwise to be for the use of the Town.—

And be it further enacted that all pitch pots & other Fires kindled in improper places on the Wharves or elsewhere shall be under the inspection of the said firewards who shall have power to remove or extinguish them as the public safety may require.—

[CHAPTER 8.]

State of }
New Hampshire. }

AN ACT, IN ADDITION TO AN ACT ENTITLED AN ACT TO ABOLISH THE COURTS OF GENERAL SESSIONS OF THE PEACE, AND TO VEST IN THE COURTS OF COMMON PLEAS ALL THE JUDICIAL POWERS, AUTHORITIES, AND JURISDICTION, AND ALL OTHER POWERS, EXCEPT GRANTING TAXES HERETOFORE BY LAW, VESTED IN SAID COURTS OF GENERAL SESSIONS OF THE PEACE—

[Approved June 17, 1794. Original Acts, vol. 14, p. 64; recorded Acts, vol. 8, p. 384. Laws, 1797 ed., p. 67; id., 1805 ed., p. 70; id., 1815 ed., p. 86. The act referred to is dated February 21, 1794, id., 1797 ed., p. 64. See act of June 12, 1801, id., 1805 ed., p. 70.]

Be it Enacted by the Senate, and House of Representatives in General Court convened, that upon the said Acts being in force, the Clerks of the Court of Sessions for the several counties, shall be, and hereby are directed to deliver over to the Clerks of the several Courts of Common Pleas, all the records, files, and papers of the Courts of Sessions and that the Clerks of the Courts of Common-Pleas shall have the same powers, with respect to the said records, files, and papers in certifying copies, and for all other purposes, after the Act, to which this is an addition, shall take effect, as the Clerks of the Courts of Sessions have had, or may now have—

And be it further Enacted, that the several Clerks, when attending upon the Convention named in said Act, for the purpose of granting and appropriating taxes, shall be allowed, and paid out of the County Treasury the same travel and attendance as are paid to Members of the General Court, for their travel and attendance; and that it shall be the duty of the said Clerks, to certify to the several county Treasurers, all such taxes, as may be granted by the said Convention.—

[CHAPTER 9.]

State of }
New Hampshire. }

AN ACT FOR PROTECTING ROBERT SMITH—

[Approved June 17, 1794. Original Acts, vol. 14, p. 65; recorded Acts, vol. 8, p. 389. See act of December 7, 1792, recorded Acts, vol. 8, p. 62.]

Whereas it has been represented to the General Court that Robert Smith late of Londonderry in the County of Rockingham and State of New Hampshire Gentleman, now residing in Bennington in the State of Vermont is under a necessity of attending upon the

General Court at the Next Session, to settle his accounts with said State of Newhampshire— and that his embarrassed situation is such as would render him liable to be arrested on civil process unless protected—Therefore

Be it Enacted by the Senate & House of Representatives in General Court convened that the said Robert Smith Be exempted from all arrests on civil process for and during three weeks from & after the first day of the next Session of the General Court, any Law, Usage, or Custom to the contrary notwithstanding—

[CHAPTER 10.]

State of)
New Hampshirc.)

AN ACT GRANTING A TAX, TO MAKE THE STATE ROAD, SO CALLED, IN STODDARD.

[Approved June 19, 1794. Original Acts, vol. 14, p. 66; recorded Acts, vol. 8, p. 390. See act of September 28, 1787, Laws of New Hampshire, vol. 5, p. 287.]

Whereas the inhabitants of said Stoddard, have Petitioned this Court, that they may be authorized to lay a tax of two pence an acre, on all the Lands in said town for the purpose of making passable the roads and bridges in said town; and it appearing reasonable, that they shoud have authority to lay such a tax, for the purpose of making and repairing the road laid out in said town, by order of the Legislature; Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened, that the Selectmen of said Stoddard for the time being be, and they hereby are authorized, and empowered to lay a tax of two pence per acre, on all the lands in said Stoddard, owned by residents or nonresidents, for the sole purpose of making and repairing the road, through said town, leading from Hales bridge, to McGregores bridge so called, lately laid out by order of the Legislature—and to assess and collect the same from the owners of said land in the same manner, as state taxes are assessed, & collected—following the same directions in making distress upon the inhabitants, or selling the lands of Nonresidents, who may be delinquent in paying their taxes, as the law points out with regard to State taxes; and all distresses made upon the Inhabitants, or sales of land of Nonresidents who may be deficient in paying their proportion of the tax aforesaid, shall be of equal validity as distresses or sales made for delinquency in the payment of State taxes—

And be it further enacted, that Nathaniel Emerson Esquire be, and he hereby is authorized and empowered to direct and superintend the expenditure of the money which may be raised by the tax

aforesaid, for the sole purpose aforesaid; and the collector, or collectors of the same, are hereby required to pay him the said Nathaniel Emerson Esq^r the sums, which by warrant of the Select-Men, or assessors of said Stoddard, he, or they may be ordered to collect according to the times which said Selectmen or assessors shall in their warrant appoint; and the said Nath^l Emerson Esq^r shall give bond to the Inhabitants of Stoddard if the Select men require it, in a reasonable sum, for the faithful discharge of the duties, required of him by this Act; and shall render an account of said expenditures to the Court of Common-pleas for the County of Cheshire, which court are also hereby authorized to examine, and allow the account that may be rendered as aforesaid; and also to allow out of the said monies such compensation to the said Nathaniel Emerson Esq^r for his services as they may judge reasonable.

And be it further enacted, that all persons whose land shall be taxed by virtue of this Act, shall have a right to discharge the same by labour, at four pence per hour, and the said Nathaniel Emerson before the list of taxes is delivered to the constable to collect, shall cause a copy thereof and of this Act to be posted up in some public place in said Stoddard, and published in the New Hampshire Gazette, giving at least three weeks notice of the time when said labour may be done; and in case, any person shall discharge all or any part of his taxes in labour the said Nathaniel Emerson shall minute the same on the list, and the Constable shall then proceed to collect whatever appears to be due in manner aforesaid—

[CHAPTER 11.]

State of }
New Hampshire. }

AN ACT TO AUTHORIZE THE SETTLEMENT OF ALL OUTSTANDING ACCOUNTS & TRANSACTIONS OF THE LATE POLL & OTHER PARISH IN PELHAM, AND TO CONFIRM THE SAME—

[Approved June 19, 1794. Original Acts, vol. 14, p. 67; recorded Acts, vol. 8, p. 394.]

Whereas James Hobbs and others have petitioned the General Court setting forth that a Number of the Inhabitants of the Town of Pelham, were polled off from the other Inhabitants into a Separate parish by an Act of the Legislature, and continued a poll-parish for a Number of years; that in December, Seventeen hundred & Ninety two the said Act was repealed & the two parishes reduced to one body; that in said repealing act no provision was made for the legal Settlement of the accounts & the discharge of the Debts of the two parishes; and considerable sums are still due—That the Petitioners, assessors for the old parish at the time of the repeal

aforesaid, had given their notes for certain sums due from the parish, and now know of no legal way to assess and collect money to discharge the same— and therefore they prayed that provision might be made for the legal discharge of said debts— which appearing—reasonable—Therefore—

Be it Enacted by the Senate & House of Representatives in General Court convened that notwithstanding the aforesaid Repealing Act, which is entitled an Act to repeal An Act entitled An Act to erect a poll parish in the Town of Pelham, all the powers given by any former Law, or Laws to the said two parishes, or either of them, Be and Hereby are given, continued, and confirmed so far as is necessary to carry into effect a complete settlement of their or either of their accounts, and for a discharge of all the Debts due by them; and to close & complete all transactions and business of the said two parishes, or either of them—

[CHAPTER 12.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT EMPOWERING THE SUPERIOUR COURT OF JUDICATURE OF THIS STATE TO HEAR AND TRY ANY CAUSES RESPECTING OR RELATING TO THE FORFEITURES OF LANDS WITHIN THIS STATE HERETOFORE GRANTED, OR THAT MAY HEREAFTER BE GRANTED FOR NONPERFORMANCE OF THE CONDITIONS OF SUCH GRANTS, TO DETERMINE AND GIVE JUDGMENT THEREIN, THAT SUCH FORFEITURE IS OR IS NOT INCURRED, AND TO JUDGE AND DECREE AS A COURT OF CHANCERY IN CERTAIN OF THE CAUSES AFORESAID.

[Approved June 19, 1794. Original Acts, vol. 14, p. 68; recorded Acts, vol. 8, p. 405. Laws, 1797 ed., p. 73; id., 1805 ed., p. 64; id., 1815 ed., p. 72; id., 1830 ed., p. 53. The act to which this refers is dated February 6, 1789, Laws of New Hampshire, vol. 5, p. 407.]

Whereas, by reason that grantees of Lands in this State, or those who claim title under them are frequently unknown and process against them cannot be served in the usual manner,—

Therefore, be it Enacted by the Senate & House of Representatives in General Court convened, that whenever complaint shall be made to the Chief Justice, or any other Justice of said Court agreeably to the directions in said Act it shall be the duty of such Justice to make, or require the Clerk to make an order in writing, directing the substance of said complaint, with a copy of such order, to be published in some Newspaper printed in the County where the land in question lies if a News-paper is printed in such County, otherwise in a News-paper printed in some County adjacent or near the

County where such land lies, and also, in the New-Hampshire Gazette three weeks successively— and also to be posted up in some public house in the Shire Town of the County where the same land lies for the space of six weeks to be notified in each way six weeks prior to the sitting of the Court at which said complaint is to be entered and heard— which order being complied with shall be a good and sufficient service of such process— And the said Court is hereby authorised and required, upon proof before them of a service being made as aforesaid to proceed, and determine upon the objects of said Act agreeable to the directions therein contained any law usage or custom to the contrary notwithstanding

And be it further enacted, that where any dispute shall arise concerning any bridges canals, or locks in this State which have been, or shall hereafter be granted by this State on certain conditions, the said Superiour Court shall be a Court of Equity to determine such dispute between the State and the Grantees their heirs or assigns in the same manner as they are empowered to determine disputes concerning grants of lands, and the said Court are hereby authorised & empowered to hear and determine the same accordingly. Provided, that in all such disputes the service of the original process shall be made on some principal proprietor or proprietors or their Clerk by giving him her or them an attested copy of the complaint and order to be made as aforesaid or leaving the same at his, her or their usual place of abode at least six weeks prior to the sitting of the Court where such complaint is to be entered & heard

[CHAPTER 13.]

State of }
New Hampshire. }

AN ACT FOR TAXING THE LANDS IN HANCOCK FOR THE PURPOSE OF MAKING AND REPAIRING A ROAD THROUGH THE SAME.

[Approved June 19, 1794. Original Acts, vol. 14, p. 69; recorded Acts, vol. 8, p. 409.]

Whereas the Inhabitants of Hancock have petitioned the General Court setting forth that a new road has lately been laid through said town by order of the Court of General Sessions of the peace for the County of Hillsborough, and prayed authority to lay a small tax on the lands of Nonresidents lying in said Hancock for the purpose of defraying part of the expences of clearing said road & making the same passable—which appearing reasonable Therefore

Be it Enacted by the Senate & House of Representatives in General Court convened That the Selectmen or Assessors of said Hancock Be, and they hereby are authorised to make an Assessment of three pence on each and every acre of land lying in said Town &

not owned by any Inhabitant thereof, and deliver the same to any Collector of taxes in said Town with proper warrant to collect the same—And such Collector is Hereby authorized and Required to collect the said tax in the same manner as State taxes are by Law to be collected; and the proceedings of such Collector agreeable to the Laws for collecting the taxes of Nonresidents in other Cases shall be of equal validity in all respects as the proceedings of Collectors are in the Case of State taxes; And such Collector shall pay over the Monies by him collected to the person hereafter in this Act appointed to receive & use the same for the purposes aforesaid—And the person hereafter appointed shall, after he shall improve the monies raised by said tax for the purpose aforesaid, render an account of his doings to the Court of Common Pleas for the County of Hillsborough, which Court are Hereby authorized to examine and allow his accounts, and also make him such reasonable allowance for his services in attending on said Service as to them shall appear right out of the Monies raised by said tax—for which purpose he is authorized to save a Sufficient sum in his hands—

And Be it further Enacted that—M^r Oliver Laurence—shall Be, & he hereby is appointed to oversee & direct the expenditure of said monies on the road aforesaid—and the Selectmen or Assessors of said Hancock who make the Rate shall immediately after making the same deliver to the said Oliver Laurence a Certificate of the sum by them so assessed—of the person to whom the same is Committed for collection—and the time or times at which the same is by their Warrant Ordered to be paid over to him the said Oliver Laurence—overseer & director of the work as aforesaid—

[CHAPTER 14.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE A BAPTIST SOCIETY IN THE TOWN OF DEERFIELD IN THE COUNTY OF ROCKINGHAM IN THE STATE OF NEW-HAMPSHIRE

[Approved June 20, 1794. Original Acts, vol. 14, p. 70; recorded Acts, vol. 8, p. 412.]

Whereas Jonathan Robinson and others, Inhabitants of said Deerfield have Petitioned the General Court representing, that they are and for years past have been a society for promoting the public worship of God, commonly known by the name of the Baptist Society—That they have with cheerfulness contributed to support the Gospel—That they have labored under many inconveniences on account of their having no authority, by Law, to compel people to

pay their Just proportion of the monies which the said Society have yearly raised for the purpose aforesaid—and prayed the General Court to Incorporate them, and others who may choose to Join, into a Society and give them power and authority by Law, to assess the members of said Society their proportion of all such monies as may be necessary to discharge the debts which may be incurred by the members thereof, in their public capacity—after a public hearing thereon it appearing reasonable that said Society should be incorporated as aforesaid— Therefore, Be it enacted by the Senate and House of Representatives in General Court conven'd, That the said Jonathan Robinson and others Petitioners as aforesaid, and such other persons as may hereafter Join said society, being Inhabitants of said Deerfield and Candia Be and hereby are incorporated into a body politic and corporate to have continuance and succession forever by the name of the Deerfield Baptist Society, and by that name may sue and be sued to final Judgment execution and satisfaction, as other incorporated Towns and Parishes in this State may by Law— and the said Society at any legal meeting duly warned and held for the purpose, some time in the month of March annually may chuse all such necessary and customary Parish officers as to them may appear proper, for the purpose of assessing and collecting each persons Just proportion of all such Taxes as may be voted and raised at any of said meetings,—which officers shall have equal powers and authorities for the said purposes as Town and Parish officers in other incorporated Towns and Parishes in this State have by the Laws thereof— and Jonathan Robinson is hereby appointed and authorized to warn the first meeting of said Society who shall preside therein until a Moderator may be chosen.

[CHAPTER 15.]

State of }
New Hampshire. }

AN ACT, ALTERING THE TIME OF HOLDING THE SUPERIOUR COURT OF JUDICATURE IN THE COUNTY OF GRAFTON—

[Approved June 20, 1794. Original Acts, vol. 14, p. 71; recorded Acts, vol. 8, p. 415. Laws, 1797 ed., p. 63. See act of June 20, 1793, recorded Acts, vol. 8, p. 191; also act of December 15, 1796, id., vol. 10, p. 90.]

Be it Enacted by the Senate, and House of Representatives in General Court convened,—that the Superiour Court of Judicature by law, holden at Haverhill in the county of Grafton on the fourth Tuesday of October annually, shall, in future, be holden on the Tuesday, next following the fourth Tuesday in October annually, of which all persons are to take notice, and govern themselves accordingly.—And all writs, processes, and other matters of Law, return-

able to, determinable by said Court, on the fourth Tuesday of October next, may be returned to, and sustained, tried, and determined by said Court on the Tuesday next following the said fourth Tuesday—Any Law, Usage, or Custom to the contrary Notwithstanding—

[CHAPTER 16.]

State of }
New Hampshire. }

AN ACT, AUTHORISING THE COMPANY OF JAMES, AND PATRICK McMASTERS, TO PROSECUTE ACTIONS, FOR THE RECOVERY OF BONA FIDE DEBTS.—

[Approved June 20, 1794. Original Acts, vol. 14, p. 72; recorded Acts, vol. 8, p. 417.]

Whereas, James McMasters, Patrick McMasters, and John McMasters joint partners in trade, under the firm of James, and Patrick McMasters and Company, have petitioned the General Court, praying, that in order that they may meet with no legal impediment in the recovery of their bona-fide debts; that they may be authorised to prosecute, and support any actions necessary for the recovery of the same, Therefore,—

Be it Enacted, by the Senate, and House of Representatives in General Court convened, that the said James McMasters, Patrick McMasters, and John McMasters be, and they hereby are authorised, and empowered to prosecute, and support any actions necessary for the recovery of any bona-fide debts, due to them, or said Company, which have not already been recovered by said State, or any one, in their behalf. Anything contained in the Act, entitled an Act, to confiscate the estates of sundry persons therein named, or any other Act, respecting, confiscation, or sequestration, notwithstanding.—

Provided also that this Act shall not be construed to alter, prejudice or affect any settlement or disposal of the estate or property of the said James Patrick & John MacMasters or either of them done under the authority of the Colony or State of New-Hampshire previous to the Books & papers being returned to them by the State—

[CHAPTER 17.]

State of }
New Hampshire. }

AN ACT AUTHORISING JOSEPH BASS TO REVIEW A CERTAIN ACTION

[Approved June 20, 1794. Original Acts, vol. 14, p. 73; recorded Acts, vol. 8, p. 419.]

Whereas Joseph Bass has petitioned the General Court setting forth, that Moses Belcher Bass entered an action against the said Joseph at the Court of Common pleas in the County of Rockingham, last August Term, and obtained judgment against him upon demurrer, from which judgment, the said Joseph appealed, to the then next Superiour Court, intending there, to have had a trial, and to have filed a demand in offset, but through accident, failed to enter his appeal, and the said Moses, upon entering a complaint, obtained judgment against your petitioner, for the sum of two hundred, and thirty one pounds, and eighteen shillings damage, and five pounds thirteen shillings, and two pence, cost of suit; and praying relief, which appearing reasonable, to be granted, Therefore,

Be it enacted by the Senate, and House of Representatives, in General Court convened, that the said Joseph may, at the next Superiour Court, of judicature, for the County of Rockingham, enter his appeal upon the aforesaid demurrer, joined at the Court of Common pleas, in the same manner, as if the appeal had regularly been to the said next Superiour Court, and may in said Court, file his offset, or demand, and defend the said action, as upon common, and regular entry; and the Court aforesaid, are hereby empowered to sustain the said action, and try it, at that, or, any future Court, to which it may be continued; and shall give judgment for the amount which ought to be deducted, from the said Moses Belcher's note, so that the execution, which may issue in favour of the said Joseph, may be set off against the execution of the said Moses Belcher, which has, or may issue, upon his complaint, entered as aforesaid, or otherwise, as the said Joseph shall see fit.—

[CHAPTER 18.]

State of }
New Hampshire. }

AN ACT TO RATIFY AN ARTICLE PROPOSED IN AMENDMENT TO THE
CONSTITUTION OF THE UNITED STATES.—

[Approved June 20, 1794. Original Acts, vol. 14, p. 74; recorded Acts, vol. 8, p. 386. Laws, 1797 ed., p. 49.]

Whereas, in the third Congress of the United States at the first Session, begun, and held at the City of Philadelphia in the State of Pennsylvania, on Monday the second of December, One thousand, seven hundred, and ninety three; it was resolved, by the Senate, and House of Representatives of the United States of America, in Congress assembled, two thirds of both houses concurring, that the following article be proposed, to the Legislatures of the several states, as an amendment of the Constitution of the United States; which, when ratified by three fourths of the said Legislatures, shall be valid, as part of the said Constitution Viz;

The judicial power of the United States shall not be construed to extend to any suit, in law, or equity, commenced, or prosecuted against one of the United States by Citizens of another state, or by Citizens, or Subjects of any foreign state. And, whereas such amendment, as an article of the Constitution of the United States, is necessary to establish harmony between the federal, and state governments, and to ensure the exercise of their several and distinct powers—Therefore,

Be it enacted by the Senate, and House of Representatives in General Court convened, that the amendment proposed by the Senate, and House of Representatives of the United States of America in Congress assembled, two thirds of both houses, concurring be, and hereby is ratified, and confirmed on the part of the State of New Hampshire, as an amendment, and article of the Constitution of the United States in the following terms; Viz;

The judicial power of the United States, shall not be construed to extend to any suit, in law, or equity, commenced, or prosecuted, against one of the United States, by Citizens of another state, or by Citizens, or Subjects of any foreign state.—

[CHAPTER 19.]

State of }
New Hampshire. }

AN ACT TO ESTABLISH AN ACADEMY AT GILMANTOWN.—

[Approved June 20, 1794. Original Acts, vol. 14, p. 75; recorded Acts, vol. 8, p. 397.]

Whereas, a Petition has been preferred to the General Court of this State, by Joseph Badger and others a Committee on behalf of said town setting forth, that they had a considerable fund, and praying for an incorporation and, establishment of an Academy at said Gilmantown; and it being of the greatest importance to every free government, that encouragement be given to the cultivation of the human mind in early life; and as this object is most likely to be obtained under the direction of Societies duly formed, and incorporated; for this beneficial purpose,

Therefore, be it Enacted, by the Senate, and House of Representatives in General Court convened, that there be, and hereby is an Academy established at Gilmantown in the State aforesaid, by the name of Gilmantown Academy.

And be it further Enacted, that the honourable Joseph Badger Esquire, the Reverend Isaac Smith, Reverend Joseph Woodman, Reverend Jedediah Tucker, Reverend Simon Finley Williams, Joseph Badger jun^r Esquire, Thomas Cogswell, Ebenezer Smith, Joseph Parsons, and Samuel Greeley Esquires, be, and they are hereby nominated and appointed Trustees and Overseers of said Academy; and they are hereby erected, and incorporated into a body politic by the name of the Trustees of Gilmantown Academy; and they, and their Successors, in said Office, shall be, and continue a body politic, and corporate, and by that name have continuance and duration forever.

And be it further enacted, that the said Trustees, and their Successors shall have one common seal for their use, which they may break, change, or renew at pleasure; and they may sue, and be sued; prosecute, and defend; in all actions, real, personal, and mixed; and the same pursue to final judgment, execution, and satisfaction, as other like Corporations may, can, or ought to do—

And be it further enacted, that the said Trustees, and the longest livers, and survivors of them, and their successors, elected, and chosen, as hereafter provided, shall be the true, and sole visitors, trustees, and governours of said Academy, in perpetual succession forever, with full power, and authority, from time to time, and at all times, to elect such instructors, officers, and servants, of said Academy, as to them, and their successors, may seem most fit, and convenient; and at any legal meeting, to elect, and choose, by ballot, such and so many other reputable persons, for Trustees, and

Overseers of said Academy, as they shall judge to be necessary, and convenient; Provided, the number of said Corporation, shall at no time exceed ten; and if it shall so happen, at any time, that the number of said Corporation, shall be less than seven, it shall be their duty, to call a meeting, as soon as may be, and elect by ballot, one, or more suitable persons, to compleat said number of seven at least; and said Corporation shall have power, and authority at any time, to make such rules, orders, and by-laws, for the good government of said Academy, as they may find necessary; provided, they be not repugnant to the Constitution, or Laws of this State; all which rules, orders, and by-laws, shall be observed by the instructors, teachers, and other officers of said Academy; and the students, and servants thereof, upon the penalties therein mentioned, and contained; and the same rules, orders and by-laws, to repeal at their pleasure; also, to settle, and establish the place of said Academy, in said Gilmantown, according to the vote of the inhabitants, passed the second day of September Anno Domini, seventeen hundred, and ninety three, for the term of twenty years; and afterward, at such place, or places, in said town, as the Trustees may agree upon, also, the times, and places, and manner of convening said Trustees. And said Corporation are hereby authorised from time, to time and at all times to supercede, and remove any member of said Corporation, or any teacher, instructor, officer, student, or servant thereof, as occasion may require, and appoint others in their room, and stead; and a majority of said corporation shall be a Quorum for transacting business—

And, be it further enacted, that said board of Trustees, and their successors in said office, be, and, they hereby, are invested with full power, and authority in law, to take, receive, and hold by gift, grant, purchase, devise, or otherwise, agreeable to law, free of rates, and taxes, any estate, real, and personal, for the use, benefit, and emolument of said institution; and the same to sell, dispose of, and convey by deed, or other legal mode of conveyance, or to lease, rent, and improve the same; and the income, profits, proceeds, and avails thereof, to lay out, and dispose of, to the best advantage of said institution; Provided, always; that the neat annual income, of such real estate, shall at no time exceed the sum of three hundred dollars, and the neat annual income of personal estate, shall, at no time, exceed the sum of three thousand dollars. And said Corporation, shall also, have power to constitute, and appoint one, or more agents, or attorneys, to act for them; and the same, to supercede, or remove at pleasure; and, the Preceptor, and Preceptors, and all others employed in the buisness of instruction and teaching at said Academy, and the students thereof, shall, for the time being, be exempt, and free from poll-taxes, and military duty; and all the estate, either real, or personal, shall be free from taxation; provided, nevertheless, that, if at any time, it shall happen, that the real estate, belong-

ing to said Academy shall exceed the amount of three thousand, and three hundred dollars. then, and in such case, all such real estate, belonging to said Academy, over and above the said sum of three thousand and three hundred dollars, shall not by virtue of this act, be free from taxation; Provided also, that no student of said Academy shall be exempted from taxation, or military duty, until he shall have been a student thereof, at least nine months immediately next preceding the time of taking the valuation, in which he may be included, or the time when he shall be notified to attend military duty, in the Corps whereto he may belong.—

And, be it further enacted, that the end and design of the institution, of the said Academy, is to encourage, and promote virtue, and piety; and the knowledge of the English, Greek, and Latin languages; Mathematics, Writing, Geography, Logic, Oratory, Rhetoric, and other useful and ornamental branches of Literature.—To have, and to hold, said privileges, and immunities, to said Corporation, their successors, and assigns, for the use, benefit, and emolument of said institution, and the enfranchisements, herein mentioned; and agreeable to such terms, conditions, limitations intentions, and designs of those who may hereafter become benefactors of the same, as expressed in any deed, or other instrument of conveyance, to be made for that purpose.—

And, be it further enacted, that the honourable Joseph Badger Esquire, be, and hereby is authorised and appointed to call the first meeting of said Corporation, and to preside therein; at which meeting, and at any other, the said Trustees, and their successors may agree upon; and establish a method of calling meetings, establish modes for their proceedings, and manner of keeping their Records.—

Provided nevertheless the Land belonging to said Corporation shall at no time exceed Two hundred acres—

[CHAPTER 20.]

State of }
New Hampshire. }

AN ACT TO ENABLE ARCHIBALD TAGGART TO REVIEW A CERTAIN ACTION.—

[Approved June 20, 1794. Original Acts, vol. 14, p. 76; recorded Acts, vol. 9, p. 1.]

Whereas Archibald Taggart of Hillsborough in the county of Hillsborough, hath petitioned this court, setting forth, that at the Superior Court of judicature holden at Hopkinton in said county of Hillsborough on the second Tuesday of May Anno Domini seventeen hundred and ninety three, upon a certain action of Review, of an Action of trespass, originally commenced by said Archibald against

John M^cClintock of said Hillsborough; such proceedings were had, that a former judgment rendered in said Action, in favour of the said Archibald, against said M^cClintock was reversed; and judgment rendered for said M^cClintock, against said Archibald; and Execution since issued thereon; And praying, for certain reasons assigned by said Archibald, that a further trial of said Action, might be had, and the parties aforesaid having been heard thereon, and the prayer of the petitioner appearing reasonable, Therefore, be it Enated, by the Senate, and House of Representatives in General Court convened, that the said Archibald be, and he is hereby authorised and empowered to sue out of the Office of the Clerk of the Superiour Court of judicature a writ to review the aforesaid action, and judgment, so rendered as aforesaid, against him returnable, before the said Court at Amherst in said county, at October Term next; which, the Clerk is hereby empowered, and directed to issue out accordingly; and which being duly served, and returned, and the action entered at said term, the said Court is hereby fully authorised, and empowered to hear, sustain, and try said action; and, if necessary, may continue the same; and similar proceedings, may, and shall be had thereon, as are usually had upon reviewed actions: and if upon trial by Jury, or otherwise, the said judgment, against said Archibald, be found erroneous, in whole, or in part, the same shall be reversed in whole, or in part accordingly, and costs shall be taxed, as usually, and judgment shall be rendered thereon, and Execution issue, as in other cases, the judgment in favour of said M^cClintock rendered as aforesaid, or any law, usage, or custom to the contrary, notwithstanding—

[CHAPTER 21.]

State of)
New Hampshire.)

AN ACT FOR THE RECEIVING INTO THE TREASURY OF THIS STATE, CERTAIN EVIDENCES OF DEBTS DUE FROM THE STATE AND MAKING COMPENSATION FOR THE SAME.—

[Approved June 21, 1794. Original Acts, vol. 14, p. 77; recorded Acts, vol. 8, p. 422. Laws, 1797 ed., p. 169; id., 1805 ed., p. 210.]

Be it enacted by the Senate, and House of Representatives, in General Court convened, that a Loan be opened on the first day of October next, and continued until the first day of April next, for the purpose of receiving in, at the Treasury, the following described species of evidences of debts due from this State, to be calculated, and compensated for, in the way, and manner hereafter mentioned; Viz; All State Notes with interest due thereon, to the first day of October next, such notes as are subject to the scale of depreciation

being first reduced thereby, Certificates issued for interest, and part of the principal of State Notes; Orders, which have been, or may hereafter be drawn for bounties, and supplies, for soldier's families, and for depreciation on soldier's wages, at fifteen shillings, for every twenty shillings of the Notes, Certificates, & Orders, before mentioned— Provided, that where, by the laws of this State, now in force, in any of the above cases, interest is allowed it shall be calculated: and where State notes, and Certificates are allowed, to be issued thereupon, the holder may receive, at his election, said Notes, and Certificates, or the compensation made by this act.—

Bills of the new emission, so called, issued by authority of this State, and which are not redeemed, with the interest promised, in said bills, to be calculated at five shillings for every twenty shillings of said principal and interest.—

Notes called Copper-plate notes, and every other species of Bills not before enumerated, issued by the authority of the Colony, or State of New Hampshire, principal, and interest, on those that carry interest, to be estimated at five shillings for every hundred dollars.—

And be it further enacted, that the Treasurer of this State be, and hereby is empowered, and directed, on such notes, certificates, bills, and orders being presented to him for the aforesaid purposes, to calculate the same, and the interest thereon, in the way, and manner before described in this Act, and to pay the whole amount of Notes, Orders, and Certificates not exceeding three pounds each, when calculated, as in this Act is provided; and one half of the residue of all the different descriptions of the State debts, calculated as above, in specie; and for the remaining half, estimated as aforesaid, to issue notes of the following tenor, Viz—

State of New Hampshire—

(N^o) October 1. 1794

In behalf of the State of New Hampshire I the subscriber, do hereby promise, and oblige myself, and successor, in the office of Treasurer of said State, to pay _____ or order
_____ Dollars and _____ Cents within
eighteen months from the above date, with interest after the rate of six per Centum per Annum, being for value received, for the use of said State— Witness my hand

} Committee

Treasurer

which notes shall be signed by the Treasurer, and countersigned by a Committee for that purpose, to be appointed; and the remaining blanks shall be filled up, as the respective cases may require.—

And be it further enacted, that all outstanding taxes, and debts due on impost, and excise, except so far as is necessary for the sup-

port of Government, and the stock of this State, in the funds of the United States, or so much of the above as is necessary for the purpose, be, and hereby is appropriated for the due payment of the aforesaid debts; unless otherwise discharged, agreeably to the tenor of the notes to be issued in the form recited in this Act.—Provided nevertheless,

And be it further enacted, that the Treasurer, under the direction of the Governor of this State, be, and hereby is empowered to effect a loan, on behalf of the State to the amount of a sum not exceeding Twenty five thousand pounds, at the rate of six per Cent, for the term of two years, but redeemable at the pleasure of the State, after the expiration of one year, and in case, of its being effected, that the Treasurer pay and discharge the whole of the State debt, calculated as aforesaid, without issue of notes; and that the stock belonging to this State in the funds of the United States may be pledged for the reimbursement of the same.—

[ORDERS, RESOLVES AND VOTES OF A LEGISLATIVE NATURE PASSED DURING THIS SESSION.]

1794, June 7.

The Committee on the Petition from Bow and Allentown praying to be classed for the purpose of Sending a Representative to the General Court in future—Reported that the prayer of the Petition be granted and that said Allentown and Bow be considered as a Class for Representation and have leave to send a Representative accordingly—which report being read and considered voted that it be received and accepted—

[House Journal, 1790-94, p. 707. Senate Journal, 1791-6, p. 239.]

1794. June 13.

Whereas it is doubtful in case the President of the United States should require the Governor to March a detachment of the Militia out of this state whether the Same could be done without consent of the General Court— Therefore—Resolved that his Excellency be and is hereby authorized and impowered if such requisition be made to march such detachment as may be required to any part of the United states

[House Journal, 1790-94, p. 730. Senate Journal, 1791-6, p. 252.]

1794. June 14.

Whereas it has been requested on the part of the United States to purchase the Cannon and Military stores belonging to this state to enable them to defend the state more completely against invasion by Sea. Therefore

Resolved that the Governor by and with the advice of Council be and he hereby is impowered to dispose of and sell to the United states the Cannon and Military stores belonging to this State for the aforesaid purposes and that the Governor with advice of Council be impowered to dis-

pose of the proceeds of such sales for the further strengthening the defence of the harbour in said State if they in their discretion think proper—

[House Journal, 1790-94, p. 737. Senate Journal, 1791-6, p. 255.]

1794, June 18.

The Committee on the Petition from Fishersfield and Bradford and other unclassified Towns reported that Millford and Raby be a Class— That Antrim and Campbels Gore be a Class— That Bradford and Fishersfield be a Class— That Temple and Sharon be a Class— That Sutton and New-London be a Class— That Greenfield and Society land be a Class— That Packersfield and Sullivan be a Class— That Surry and Gilsom be a Class— That Croydon and Wendall be a Class— That Unity and Goshen be a Class— That Lempster and Marlow be a Class— That New-Grantham and Springfield be a Class and that Effingham and Ossippe be a Class, which report being read and Considered voted that it be received and accepted and that Washington as it cannot conveniently be classed have the liberty of sending a Representative in future agreeably to their Petition for that purpose, And that Andover which is so Situated that it cannot conveniently be classed and consisting of one hundred and fifty rateable polls and having Petitioned for liberty to send a Representative be intitled to the privilege of Sending a Representative to the General Court in future—

[House Journal, 1790-94, p. 747. Senate Journal, 1791-6, p. 260.]

[*Second Session, Held at Concord, December 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 29, 30, 31, 1794; January 1, 2, 3, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 1795.*]

[CHAPTER 1.]

State of }
New Hampshire. }

AN ACT ALTERING THE TIME FOR HOLDING THE ANNUAL TOWN MEETINGS IN LEMPSTER—

[Approved December 30, 1794. Original Acts, vol. 14, p. 78; recorded Acts, vol. 9, p. 5.]

Whereas a Petition hath been preferred to the General Court in behalf of the Inhabitants of Lempster setting forth that they labour under sundry inconveniences on account of their annual Town meetings being held on the third Tuesday of March, and praying that the time for holding said Meetings may be altered—which appearing reasonable— Therefore—

Be it Enacted by the Senate & House of Representatives in General Court convened that the Annual Town Meetings in Lempster shall forever hereafter be held on the first Tuesday of March, any Law, Usage, or Custom to the contrary notwithstanding—

[CHAPTER 2.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE NORTHERLY PART OF MIDDLETON IN THE COUNTY OF STRAFFORD INTO A SEPERATE TOWN, BY THE NAME OF BROOKFIELD.—

[Approved December 30, 1794. Original Acts, vol. 14, p. 79; recorded Acts, vol. 9, p. 6.]

Whereas a petition has been prefered to the General Court by a number of the Inhabitants of the North part of the Town of Middleton in the County of Strafford, setting forth that their local situation is very inconvenient for Town meetings, public worship, & other necessary Town priviledges by reason of a large ridge of Mountains which intersects said Town, & praying that the North-erly part of said Middleton might be set off into a seperate Town.— Therefore be it enacted by the Senate & House of Representatives in General Court convened that the Lands & Inhabitants contained within the Northerly part of said Middleton as described by the following boundaries from the Southerly part thereof towit, Begining at Wakefield line at the Easterly corner of Lot Number Eighty Six, thence Runing South westerly to the Easterly corner of Lot Number Eighty Five, thence Northerly to the Easterly Corner of Lot Number Eighty Three, thence Southwesterly to the Easterly Corner of Lot Number Seventy Eight, thence Northerly to the Easterly corner of Lot Number Ten, thence Southwesterly to the Easterly corner of Lot Number Twelve, thence Northerly to the Easterly corner of Lot Number Nine, in the Second division, thence South-westerly to the Easterly corner of Lot Number Thirty, thence Northerly to the Easterly corner of Lot Number Thirty Four, thence Southwesterly to the Easterly corner of Lot Number Nineteen, thence Northerly to the Easterly corner of Lot Number Eighty Two, thence South westerly to the Easterly corner of Lot Number Eighty One, thence Northerly to the Easterly corner of Lot Number Sixty, thence Southwesterly to New-Durham line, Be, and they hereby are incorporated into a seperate Town by the name of Brookfield—And the said Town of Brookfield is hereby Invested with all the powers, priviledges & immunities to which other Towns in this State are or may be entitled agreeable to the Constitution and Laws of this State, to have continuance & succession forever—And be it further Enacted that the Inhabitants of the said Town of Brookfield shall pay all the arrears of Taxes which have been assessed on them by the Town of Middleton or which may be assessed on them from this time to the first Day of March next, & shall pay their proportionable part of all debts due from said Town of Middleton— And

shall take & support a proportionable part of all the poor persons which are now in said Town of Middleton & which may be therein on the first Day of March next & shall be entitled to receive their proportion of all monies & debts now due to the said Town of Middleton & also their proportionable part of all other property of the said Town of Middleton of every kind & description whatsoever—And be it further enacted that the proportion of the said Town of Brookfield shall be Two Pounds, Six Shillings to every Thousand Pounds of the public Taxes, from & after the first day of March next, untill a new proportion shall be made & established—which sum of Two Pounds, Six Shillings shall be taken out of the proportion of said Town of Middleton—And be it further enacted that William Chamberlain Esq^r Be & he is hereby authorized & empowered to Warn a meeting of the said Inhabitants by posting up advertizements in said Town Fourteen Days previous to said meeting, & the said William Chamberlain shall preside in said meeting till a moderator shall be chosen for that purpose, And the annual Town meeting in said Town of Brookfield shall be holden on the second Tuesday of March Annually.

[CHAPTER 3.]

State of }
New Hampshire. }

AN ACT AUTHORIZING THE CLERK OF THE SUPERIOR COURT OF
 JUDICATURE TO BRING FORWARD A COMPLAINT ON THE DOCKET
 OF SAID COURT AT THE NEXT TERM.

[Approved December 30, 1794. Original Acts, vol. 14, p. 80; recorded Acts, vol. 9, p. 11.]

Whereas it hath been made to appear that David Blasdell of York and Enoch Blasdell of Lebanon both in the County of York and Commonwealth of Massachusetts entered a Complaint at the Superior Court of Judicature holden at Portsmouth within & for the County of Rockingham on the fourth tuesday of April 1794 against Joshua Pickering of Portsmouth Samuel Pickering and Benning Pickering both of Greenland & all in said County of Rockingham which complaint was continued to the next term of said Court and that at said next term holden at Exeter within and for the County of Rockingham on the third tuesday of September 1794 the Clerk of said Court being providentially obliged to be absent said Complaint was not brought forward but was discontinued And the said Clerk praying that he may be authorized to bring forward said complaint at the next term: Which appearing reasonable

Be it therefore enacted by the Senate & House of Representatives in General Court convened That the Clerk of the Superior Court of

Judicature be and hereby is authorized to reenter said Complaint at the next term of said Superior Court to be holden in and for said County of Rockingham on the docket of said Court and the Justices of said Court are empowered to render judgment thereon in same manner as tho' said Complaint had not been discontinued: Provided that Judgment shall not be rendered thereon until notice is given to the Parties concerned— Provided also that no further Cost shall be taxed, than would have been taxed had said Complaint not been discontinued—

[CHAPTER 4.]

State of }
New Hampshire. }

AN ACT TO ALTER THE TIME OF HOLDING THE ANNUAL TOWN MEETING OF THE TOWN OF WOLFBOROUGH FROM THE LAST TUESDAY, TO THE FIRST TUESDAY OF MARCH ANNUALLY—

[Approved January 6, 1795. Original Acts, vol. 14, p. 81; recorded Acts, vol. 9, p. 13.]

A Petition from Sundry Inhabitants of the Town of Wolfborough in the county of Strafford in said State has been preferd to the General Court Setting forth, that holding the annual Town meetings upon the last tuesdays of march, had been found inconvenient, & praying that the annual Town Meetings in Said Town might in future be held on the first tuesday of March, which appearing reasonable.—

Be it enacted by the Senate and House of Representatives in General Court convened that the annual Town meetings in the said Town of Wolfborough Shall forever hereafter be holden on the first tuesday of march Annually any Law, Custom or usage to the contrary Notwithstanding

[CHAPTER 5.]

State of }
New Hampshire. }

AN ACT FOR EXTENDING THE BOUNDARIES OF CERTAIN TOWNS.—

[Approved January 6, 1795. Original Acts, vol. 14, p. 82; recorded Acts, vol. 9, p. 14. Laws, 1797 ed., p. 189; id., 1805 ed., p. 204; id., 1815 ed., p. 247.]

Whereas the several Towns in this State adjoining Connecticut River are bounded by the easterly banks of said River by reason whereof the Islands, Ferries, Bridges &c in and upon said River cannot by law be taxed by said towns; for remedy whereof—

Be it enacted by the Senate and House of Representatives in General Court convened, that the northerly & southerly lines of each of the several Towns aforesaid be, and they hereby are continued & extended across said River to the westerly line of this State; which line shall hereafter be considered as the bounding westerly line of said Towns.—

Provided nevertheless that nothing in this Act contained shall be construed to affect the Grants of any such Islands, Bridges, Ferries &c heretofore made, nor prevent the making of Grants in future of such Islands, Bridges, Ferries, Locks, Canals & other conveniencies for the public benefit, nor the right of fishing in said River and using the same as a public Highway as heretofore.—

[CHAPTER 6.]

State of }
New Hampshire. }

AN ACT TO EMPOWER THE JUDGE OF PROBATE FOR THE COUNTY OF ROCKINGHAM TO REEXAMINE ADJUST AND APPROVE THE ADMINISTRATION ACCOUNT OF JEREMIAH LOCK AS ADMINISTRATOR OF THE ESTATE OF JOSEPH HAINES LATE OF GREENLAND DECEASED—

[Approved January 6, 1795. Original Acts, vol. 14, p. 83; recorded Acts, vol. 9, p. 17.]

Whereas Jeremiah Lock of Rye in the County of Rockingham and State aforesaid hath petitioned the General Court setting forth that on the thirtieth day of May seventeen hundred and sixty four he exhibited his Administration account as Administrator of the Estate of Joseph Haines late of Greenland deceased, to the then Hon^{ble} Judge of Probate for the Province of New Hampshire which account was then settled adjusted and approved by said Judge—that in said settlement he made a great error to his the Petitioners damage & paying the aid of the Hon^{ble} Court—

Be it therefore enacted by the Senate and House of Representatives in General Court convened and by the authority of the same that the present Judge of Probate within and for said County of Rockingham be and hereby is authorised and impowered to reexamine adjust and approve said Lock's Administration account aforesaid in the same way and manner as though the same had never been examined adjusted & approved.

Provided all persons interested or concerned in the same be duly notified to attend such reexamination adjustment & approvment.—

[CHAPTER 7.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER MERRIMACK RIVER IN THE COUNTY OF HILLSBOROUGH AND FOR SUPPORTING THE SAME

[Approved January 7, 1795. Original Acts, vol. 14, p. 84; recorded Acts, vol. 9, p. 20. An act of this same title was passed June 16, 1792, recorded Acts, vol. 6, p. 533, but it refers to a different bridge. See act of December 15, 1796, recorded Acts, vol. 10, p. 112.]

Whereas the erecting a Bridge over Merrimack River at a point of rocks about Fifty rods below Thorntons Ferry would be of great public utility and whereas a Committee appointed by the Honorable General Court for the purpose of viewing the River from Thorntons ferry to Kellys ferry have reported the said place and the said report having been accepted

Be it therefore enacted by the Senate and House of Representatives in General Court convened that Samuel Chase John Prentice Nathaniel Peabody Matthew Thornton James Underwood Francis Blood William Gordon Robert Fletcher Timothy Taylor Stephen Dole William M^cQuesten Robert Parker Esquires Captains Daniel Bixby James Thornton and David Quig and associates together with those who shall become proprietors in said Bridge so long as they continue proprietors thereof shall be a corporation and body politic for the purpose aforesaid under the name of the proprietors of the Lytchfield Bridge and by that name may sue and be sued to final Judgment and execution and do and suffer all matters acts and things which bodies politic may or ought to do or suffer. And the said corporation shall and may have a common Seal and the same may break alter and renew at pleasure

And Be it further enacted that the said Samuel Chase Esquire shall call a meeting of the proprietors aforesaid by an Advertisement in the New Hampshire Gazette to be holden at any suitable time and place after Fourteen days from the first publication of said

Advertisement and the proprietors by a vote of the majority of those present or represented at said meeting (accounting and allowing one vote to each share in all cases) shall choose a Clerk who shall be sworn to the faithful discharge of his said office and shall also agree on a method for calling future meetings and at the same time or any subsequent meeting may elect such officers and make and establish such bye Laws as to them may appear necessary and convenient for the regulation and government of said corporation for carrying into effect the purpose afore said and for collecting the toll herein after granted and established and the same rules and bye laws may cause to be executed and may annex penalties to the breach thereof not exceeding Forty shillings for any one breach provided the said rules and bye Laws are not repugnant to the Constitution and Laws of this State: And all representations at any meeting of said corporation shall be proved by a writing signed by the person to be represented which shall be filed with the Clerk, and this Act and all rules bye laws regulations and proceedings of said corporation shall be fairly and truly recorded by the said Clerk in a Book or Books to be provided and kept for that purpose

And Be it further enacted by the Authority aforesaid that the proprietors aforesaid be and they are hereby permitted and allowed to erect a Bridge over Merrimack River at a point of Rocks about Fifty rods below Thorntons Ferry between the Towns of Merrimack and Lytchfield in the County of Hillsborough and the said proprietors be and they are hereby authorised and empowered to purchase any Lands adjoining said Bridge and to hold the same in fee simple and the share or shares of any of said proprietors may be transferred by Deed duly executed and acknowledged and recorded by the Clerk of said proprietors in their Book.

And Be it further enacted that for the purpose of reimbursing the said proprietors the money by them to be expended in building and supporting the said Bridge a toll be and hereby is granted and established for the benefit of said proprietors according to the rates following namely for each foot passenger one Cent for each Horse and Rider Three Cents for each Horse and Chaise Chair or Sulkey Ten Cents for each riding Sleigh drawn by one Horse Three Cents for each riding Sleigh drawn by more than one Horse Five Cents for each Sled drawn by one Beast Three Cents for each Sled drawn by Two Beasts Five Cents and by more than Two Beasts Ten Cents for each Coach Chariot Phaeton or other Four wheel carriage for passengers Twenty Five Cents for each Curricule Twenty Cents for each Cart or other carriage of burthen drawn by one Beast Nine Cents for each Waggon Cart or other carriage of burthen drawn by Two Beasts Twelve Cents and more than Two Beasts Twenty Cents for each Horse or neat creature exclusive of those rode on or in carriages Two Cents for Sheep and Swine one Half cent each, and to each Team one person and no more shall be allowed as a driver

to pass free of toll. And at all times when the toll gatherer shall not attend his duty the Gate or Gates shall be kept open

Provided Nevertheless that after Fifty years from the passing this Act the Justices of the Supreme Judicial Court shall from time to time make such alterations in the rates of toll to be received as aforesaid as to them shall appear to be just except that the nett proceeds of the toll to be received shall not be less than Twelve per Centum per Annum of the costs of building said Bridge after deducting the annual expenditures for the repairs of the same nor shall the rate of toll be set at a higher rate than is allowed by this Act. And provided that the said Bridge be built within Three years from the passing this Act

[CHAPTER 8.]

State of }
New Hampshire. }

AN ACT TO ENABLE ESTHER GARY TO REVIEW AN ACTION BROUGHT AGAINST HER BY JOSEPH HOW.

[Approved January 7, 1795. Original Acts, vol. 14, p. 85; recorded Acts, vol. 9, p. 26.]

Whereas Esther Gary of Westmoreland in the County of Cheshire Widow hath preferred a Petition to the General Court setting forth that Joseph How of said Westmoreland Yeoman did at said Westmoreland on the eighth day of November last at a Court holden by George Aldrich Esquire one of the Justices of the Peace for said County enter an Action of Trespass, & therein recover Judgment against the said Esther for the sum of forty shillings and Costs of suit—That the said How had no cause of action against her—and that She had no notice of the said Action before the Judgment aforesaid was rendered against her— and praying for liberty to review said Action—And the prayer of her petition appearing reasonable—

Be it Enacted by the Senate & House of Representatives in General Court convened that the said Esther is hereby authorized to enter at a Court hereafter to be holden by the said Justice an Action of Review of the action aforesaid. And the said Justice is hereby authorized to try the said Action of Review, and on trial thereof to receive from the parties such pleas as are proper in an Action of Review to bring the merits of the Cause on trial, and to reverse the said Judgment in whole or in part, or affirm the same as the Merits of the cause shall by Law & Evidence appear to require, and to issue Execution upon the Judgment which shall by him be rendered in said action of review—Provided that the said Action of Review be entered and tried within Six months from the passing of this Act, and not afterwards, saving also the right of appeal to either party, as in other cases—

[CHAPTER 9.]

State of }
New Hampshire. }

AN ACT EMPOWERING THE ADMINISTRATORS OF THE ESTATE OF
 REUBEN KIDDER DECEASED TO EXECUTE DEEDS IN CERTAIN
 CASES.—

[Approved January 7, 1795. Original Acts, vol. 14, p. 86; recorded Acts, vol. 9, p. 29.]

Whereas Reuben Kidder & Isaiah Kidder Administrators of the estate of Reuben Kidder Esquire late of New Ipswich in the County of Hillsborough deceased Intestate, have presented a Petition praying The General Court to empower them to fulfill several contracts of the deceased by executing certain deeds—which Petition appearing reasonable—

Be it Enacted by The Senate and House of Representatives in General Court convened that the said Reuben Kidder & Isaiah Kidder as Administrators Be and they are Hereby authorized and empowered to make and execute a Deed or Deeds of all the Estate & Interest whereof the said deceased died seized in all or every tract or tracts of Land, described mentioned & specified in any Bond, Covenant or Agreement in writing made by the said deceased, whereby the said deceased, covenanted agreed or bound himself to make and execute such deed or deeds on the performance of certain Conditions therein mentioned according to the form Tenor & Effect of the same Bond, Covenant or agreement; which Deed or Deeds so made as aforesaid to the person or persons so as aforesaid agreed to be made by said deceased, and duly acknowledged & together with the said written Obligations & Agreements, recorded in the Registry of Deeds in the Respective Counties where said Lands are situated shall be good and valid in the Law to convey to the person or persons aforesaid all the right and Interest aforesaid of the said deceased—

[CHAPTER 10.]

State of }
New Hampshire. }

AN ACT TO ALTER THE TIME OF HOLDING THE ANNUAL MEETING
 OF THE TOWN OF SANBORNTOWN—

[Approved January 7, 1795. Original Acts, vol. 14, p. 87; recorded Acts, vol. 9, p. 38.]

Whereas the Select men of the Town of Sanborntown in the County of Strafford have petitioned the General Court Setting forth, that holding the Annual Town-meetings upon the last tuesday of

March in said town had been found inconvenient, and praying that the Annual Town Meetings in said Town might in future be held on the Second Tuesday of March— which appearing reasonable— Therefore

Be it Enacted by the Senate & House of Representatives in General Court convened That the Annual Town-meetings in the said Town of Sanborntown shall forever hereafter be holden on the Second Tuesday of March, any Law Usage or Custom to the contrary Notwithstanding—

[CHAPTER 11.]

State of }
New Hampshire. }

AN ACT GRANTING TO EACH COMPANY OF CAVALRY SEVENTEEN DOLLARS TO FURNISH INSTRUMENTS OF MUSICK & COLOURS.

[Approved January 8, 1795. Original Acts, vol. 14, p. 88; recorded Acts, vol. 9, p. 31. Laws, 1797 ed., p. 430; id., 1805 ed., p. 263.]

Be it Enacted by The Senate & House of Representatives in General Court convened that the Captain of each Company of Cavalry in this State organized according to Law, be entitled to receive out of The Treasury Seventeen dollars, in addition to the sum heretofore allowed for the purpose of furnishing his Company with Instruments of Musick & Colours: And the Governor, being certified by the commanding Officer of a Regiment, that a Company of Cavalry belonging to the same, is organized as aforesaid, shall give the Captain of such Company an order on The Treasurer for the aforesaid sum—

[CHAPTER 12.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS, AND THEIR ASSOCIATES, IN TO A PROPRIETY BY THE NAME OF THE PROPRIETORS OF THE NEW HAMPSHIRE HOTEL AND PORTSMOUTH PIER.—

[Approved January 8, 1795. Original Acts, vol. 14, p. 89; recorded Acts, vol. 9, p. 40.]

Whereas Samuel Sherburne, Richard Hart, and others have Petitioned the General Court setting forth That they hold in Common & Undivided Certain houses, out houses, wharves and priviledges in the Town of Portsmouth in said State consisting of Thirty equal

Shares, which they wish to hold in Common and Undivided under one General pier, by an Act of Incorporation, Whereby they apprehend the publick will be Greatly benefited and individuals better provided for, than at present, and the private Interest of said Petitioners and their Associates greatly promoted, and perpetuated, which could not be done unless they were Erected into a body Politic, Wherefore they prayed That they might be Incorporated by the name aforesaid, The design of which Enterprise Appearing reasonable, as well as Laudable Therefore Be it Enacted by the Senate and house of Representatives in General Court Convened That the persons above named, together with those their Associates and Assigns, who are or shall become Proprietors in said Estate, so long as they Continue to be Proprietors thereof shall be a Corporation and body Politic by the name of The New Hampshire Hotel and Portsmouth Pier—Containing Thirty equal shares, and no more, and to Continue a body Corporate and Politic with power of perpetual Succession, and by the name aforesaid may Sue and be Sued to final Judgment & Execution and do and Suffer all matters, Acts, and things which bodies Corporate can, or ought to do and Suffer—And the said Corporation may have and use a Common Seal, and the same may break, renew and alter at pleasure.—

And be it Further Enacted That a meeting of said Proprietors shall be holden Annually at said Portsmouth on the Third Monday of January And the said Proprietors may call and hold Quarterly or Occasional meetings at such time and place within this State, and in such manner as they from time to time may direct, at any of which meetings they may by a Majorety of Proprietors Present, or such other persons by them Legally Authorized, choose any Officers the Proprietors may think proper for the regulation of their Meetings, or the Management of their Affairs, And the said Proprietors are hereby Empowered at any such Meeting by vote as Aforesaid to Assess Taxes, make Bye laws, to Regulate and determine their proceedings, respecting the Appropriation of their funds or direction of their Affairs, and shall and may make and Establish any rules, orders and Regulations for the Management of their Affairs or Interest, not Repugnant to the Laws of this State.—

And the Records and Proceedings of said Proprietors posterior to their Incorporation, and Authenticated Copies thereof shall be received in the same manner as the Records and Authenticated copies of other Corporations are within this State.—

And be it further Enacted that Elijah Hall be and hereby is Authorized to call the first Meeting of said Proprietors, by virtue of this Incorporation giving notice in one of the New Hampshire Newspapers in said Portsmouth, fifteen days at least prior to the time of holding such Meeting.—

And be it Further enacted by the Authority aforesaid That this

Act, and all rules, bye laws, Regulations and proceedings of said Corporation, shall be fairly, and truly recorded by their Clerk in a book, or books provided and kept for that purpose.—And be it Further Enacted that such of said Proprietors as think proper may Convey and dispose of their Shares in said Propriety in the same manner as other Real Estate is by Law Conveyed and held in this State, as well as by Recording their deeds in the Records of said Propriety And those persons to whom they sell their Shares shall be held to Comply with the same rules and Regulations, as Original Proprietors are bound to do in and by this Act.—

And be it further Enacted by the Authority Aforesaid That if any tax or Assessment made by said Corporation, on the Several shares, for making any Additions of Wharves or erecting buildings, or Repairing the same or transacting any of their Affairs from time to time which said Propriety may Judge proper and necessary for their benefit shall be unpaid at the time Limited for payment of the same, they may proceed to sell the delinquents Share by Publick auction, and if any overplus remains after paying the tax, or Assessment & charges it shall be return'd to said delinquent proprietor. And be it Further Enacted, That nothing herein Contained shall empower the said Corporation to hold other Real Estate of more than the Annual Value of Three hundred pounds, Excepting the estate before mentioned.

[CHAPTER 13.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE TOWNSHIP OF PIERCY IN THE COUNTY OF GRAFTON IN THE STATE AFORESAID—

[Approved January 9, 1795. Original Acts, vol. 14, p. 90; recorded Acts, vol. 9, p. 33.]

Whereas a number of the Inhabitants of said Township have petition'd the General Court representing, That they labor under many inconveniences for want of an Incorporation in their Charter, and prayed the General Court would Incorporate them into a Town by the name of Piercy; and, upon said Petition, a public hearing being ordered by the General Court and after a full hearing thereon the prayer of said Petition appearing reasonable—

Be it enacted by the Senate and House of Representatives in General Court conven'd. That the said tract of land as Granted by the Charter thereof with the Inhabitants who now do or hereafter may live thereon, Be and they hereby are Incorporated into a Town by the name of Piercy, with all the privileges, powers and immunities as other Towns in this State, excepting such as have some

particular privileges, have and enjoy, to have succession and duration forever—

And be it further enacted that Jeremiah Eames Esq^r Be and he hereby is impowered to warn, some time before the last of March next, a meeting of said Inhabitants for the purpose of transacting Town affairs who, shall give fifteen days notice of the time, place and design of said meeting, by posting up a notification thereof in due form of law, and preside therein till a moderator be chosen— And the annual Town meeting of said Piercy shall, forever afterward, be holden on the first Tuesday of March, any law, usage, or custom to the contrary notwithstanding—

[CHAPTER 14.]

State of }
New Hampshire. }

AN ACT AUTHORIZING THE COMPLETING A COMPANY OF CAVALRY WITH OFFICERS AND DRAGOONS IN THE TWELFTH REGIMENT OF THE MILITIA OF SAID STATE—

[Approved January 9, 1795. Original Acts, vol. 14, p. 91; recorded Acts, vol. 9, p. 36.]

Whereas a Petition has been preferred to The General Court setting forth that there is part of a Company of Cavalry in the twelfth Regiment consisting of one Lieutenant and more than thirty dragoons which by the present Laws of the State cannot be completed with Officers and Privates & praying that said Company may be completed with Officers and dragoons—which prayer appearing reasonable—Therefore—

Be it Enacted by the Senate & House of Representatives in General Court convened that said company of Cavalry shall be completed with Officers and may be filled up with Dragoons by enlistments from the Companies of Infantry in the second Battalion in said Regiment in the same manner that other Companies are by Law directed to be enlisted—And said Company shall be continued in said Twelfth Regiment of Militia— and shall be under the same regulations & have the same privileges that other Companies of Cavalry in this State by Law have, any Law, Usage, or Custom to the contrary notwithstanding—

[CHAPTER 15.]

State of)
New Hampshire.)

AN ACT FOR RAISING TWENTY SIX THOUSAND SIX HUNDRED & SIXTY SIX DOLLARS AND SIXTY SEVEN CENTS FOR THE USE OF THIS STATE.

[Approved January 9, 1795. Original Acts, vol. 14, p. 92; recorded Acts, vol. 9, p. 45. Laws, 1797 ed., p. 171.]

Be it Enacted by the Senate & House of Representatives in General Court convened, that there Be raised the current Year for the Use of this State Twenty six thousand six hundred & Sixty six Dollars & Sixty seven Cents—which sum shall be assessed, collected, & paid into the Treasury on or before the last day of December next; and is appropriated for discharging the Debts due from this State, & for the Support of Government.—

And Be it further Enacted that The Treasurer Be, and he hereby is directed seasonably to issue his Warrants to the Selectmen, or Assessors of the several towns, parishes and districts, within this State, agreeably to the last proportion Act for assessing and collecting the aforesaid Sum of Twenty six thousand, Six hundred & Sixty six dollars and Sixty seven Cents.

And the Selectmen, or Assessors aforesaid are Hereby required, respectively, to assess and levy the same according to Law, and cause the same to be paid into the Treasury of this State on or before the last day of December next; And the Treasurer shall issue Ex-tents for all taxes, which shall then remain unpaid—

[CHAPTER 16.]

State of)
New Hampshire.)

AN ACT TO ENABLE SILAS CALDWELL TO REVIEW A CERTAIN ACTION BRO'T BY JOHN DREW AGAINST HIM

[Approved January 9, 1795. Original Acts, vol. 14, p. 93; recorded Acts, vol. 9, p. 48.]

Whereas Silas Caldwell of Barrington in the County of Strafford Yeoman hath petitioned the General Court, setting forth that he is greatly aggrieved by a Judgment rendered against him, on a report of Referrees, by the Court of Common Pleas in said County of Strafford at their Session at Gilmantown in said County in November 1793 in favour of John Drew of Barnstead in the same County;

the Error in which Report and Judgment, was in consequence of his the said Silas's inability to produce before the referees, the proper evidence, then existing, respecting the Cause—which evidence can now be procured—And praying authority from the General Court to review said Action in the Court where the said Judgment was rendered; and pursue the same in the usual Course of Law—which prayer appearing reasonable—Therefore

Be it enacted by the Senate and House of Representatives in General Court convened— That the said Silas Caldwell be, and he hereby is, fully authorized and empowered, to review said Action, by the process common in other cases of review, in the said Court of Common pleas; at any term of the sitting of said Court within Six months from the passing this Act— And the said Court of Common Pleas, and the Superior Court of Judicature, in case of an Appeal, are hereby fully authorized and empowered, to sustain, hear, try and determine said Action in the common course of the Law— and to allow such pleadings and Admit such evidence as shall be fit and proper for a fair trial of said Cause—and the former Judgment to reverse or Affirm, in whole, or in part, as shall appear right, upon hearing and trying the Cause—and to Issue Execution accordingly—

[CHAPTER 17.]

State of }
New Hampshire. }

AN ACT FOR THE PRESERVATION OF SALMON AND SHAD IN CONNECTICUT RIVER.

[Approved January 9, 1795. Original Acts, vol. 14, p. 94; recorded Acts, vol. 9, p. 51. Laws, 1797 ed., p. 404; id., 1805 ed., p. 385; id., 1815 ed., p. 443; id., 1830 ed., p. 241.]

Be it Enacted by the Senate & House of Representatives in General Court convened that after the passing of this Act, if any person shall between the first day of April and the first day of July in any year, catch, kill or destroy any Salmon or Shad in any part of Connecticut River within this State, or in any Stream within this State running into said River; or Shall use any Sean, net, Spear or Stab, or any kind of machine or Instrument for the purpose of catching Salmon or Shad within the limits aforesaid at any other time than between the rising of the Sun on Tuesday Morning, and the rising of the Sun on Saturday morning in the same week, such person shall for every such Offence forfeit the Sum of Ten Dollars to be recovered with Costs of Suit in an Action of Debt by any person who shall sue for the same before any Justice of the peace, within the County where such offence shall be committed, one half

of said sum for the Use of the person who shall sue therefor, and the other half for the use of said County—

And Be it further Enacted that if any Sean, Net, Spear, or Stab, or any kind of machine, or Instrument made or Used for the purpose of catching Salmon or Shad, at any other time than that which is by this Act allowed for catching Salmon & Shad in said River shall be found in any part of said River within This State, or in any of the Streams aforesaid, it shall be forfeited to the Use and become the property of him or them who shall find the same and remove it from said River. And if any Pot for the purpose of catching fish shall at any time be found within the limits aforesaid, it shall be forfeited & appropriated in manner above mentioned— And if any person or persons shall between the first day of April and the first day of July in any year, Set, draw, or use within the limits aforesaid, any Sean, or Net more than Twenty rods in length for the purpose of catching Salmon or Shad, such person or persons shall, for every such offence forfeit the sum of ten dollars, to be sued for, recovered & appropriated in the same manner as the forfeitures for catching Salmon and Shad—

And Be it further Enacted that it shall be the duty of every town within this State, bounding on the State of Vermont, to choose every year at their annual Town Meeting a Fish-Inspector, whose duty it shall be to inspect said River, & to take and remove therefrom every machine & Instrument for catching Salmon or Shad, which shall therein be found at any time, other than that by which it is lawful by this Act, to catch Salmon & Shad in said river. And each of the said Inspectors shall be sworn, to the faithful performance of his duty, and be Hereby authorized to command such assistance as shall be necessary to enable him to remove from said River every machine & Instrument, which shall be forfeited by this Act.

And every person, who shall be commanded by any one of the Inspectors aforesaid to assist, and shall actually assist him in taking and removing from said River any of the machines or Instruments, forfeited as aforesaid, shall share equally, with such Inspector, in the property of the same.—Provided nevertheless, that the duty and authority of each of said Inspectors shall be confined within the limits of The Town, wherein he shall be chosen—

And Be it further Enacted that all Acts and Laws heretofore made relative to catching Salmon or Shad in Connecticut River, Be & they Hereby are repealed—

[CHAPTER 18.]

State of }
New Hampshire. }

AN ACT PROVIDING FOR THE COMPENSATION OF CERTAIN PERSONS EMPLOYED IN APPREHENDING AND BRINGING TO JUSTICE OFFENDERS AGAINST THE LAWS OF THIS STATE.

[Approved January 9, 1795. Original Acts, vol. 14, p. 95; recorded Acts, vol. 9, p. 55. Laws, 1797 ed., p. 283; id., 1805 ed., p. 290; id., 1815 ed., p. 341; id., 1830 ed., p. 154.]

Be it Enacted by the Senate and House of Representatives in General Court convened, that whenever an account shall be exhibited to The Superior Court of Judicature, or to either of the Courts of Common Pleas in this State against a County for services done under the direction of either of the Courts aforesaid, the Attorney General, one of the Solicitors, or any Justice of the peace, in apprehending and bringing to Justice any Offender charged with any felony or high handed misdemeanor against the Laws of this State, and no provision shall have been made for the payment thereof; The Courts aforesaid, respectively, shall have power to examine the same, and allow so much thereof as they may deem equitable, and for the sum so allowed, The Chief, or First Justice of the respective Courts aforesaid, shall give order on The County Treasurer, who is hereby authorized and directed to pay the same—

[CHAPTER 19.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO, & IN AMENDMENT OF AN ACT, INTITLED “AN ACT TO PREVENT THE DESTRUCTION OF SALMON, SHAD & ALEWIVES IN MERRIMAC RIVER, & FOR REPEALING ALL THE LAWS HERETOFORE MADE FOR THAT PURPOSE.—

[Approved January 12, 1795. Original Acts, vol. 14, p. 96; recorded Acts, vol. 9, p. 72. Laws, 1797 ed., p. 408; id., 1805 ed., p. 389. The act referred to is dated June 18, 1790, Laws of New Hampshire, vol. 5, p. 527. See additional acts of December 20, 1797, and December 27, 1798, Laws, 1805 ed., pp. 390, 391. Repealed June 20, 1811, id., 1815 ed., p. 444.]

Be it enacted by the Senate & House of Representatives in General Court convened that the first clause in said Act which is in the following words “That no person after the passing of this Act shall catch, kill or destroy any Salmon, Shad or Alewives in any part of Merrimac River within this State or any of the Waters falling thereinto, at any time from Sun rising on any Saturday to Sun

rising on every Wednesday next following on penalty of forfeiting for each Fish so caught, killed or destroyed a sum not exceeding Forty Shillings nor less than Five, at the discretion of the Court or the Justice before whom the trial for such Offence may be," be & hereby is repealed.—And be it further enacted that one other clause in the same Act which is in the following words, "That it shall & may be lawful for any person to convert to his own use Or destroy any Seine, Net or other Implement used in catching Fish contrary to this Act," be & is hereby repealed.—And be it further enacted that no person after the passing this Act shall catch kill or destroy any Salmon, Shad or Alewives in any part of Merrimac, Pemigewasset or Winnepesaukee Rivers within this State or in any of the Waters falling thereinto at any time from Sun rising on any Thursday to Sun rising on any Monday next following on penalty of forfeiting for each Fish so caught, killed or destroyed a sum not exceeding Ten Dollars nor less than Five at the discretion of the Court or Justice before whom the trial for such Offence may be.

And be it further enacted that if any person or persons, shall within the time inhibited by this Act set, use, or continue in or upon any of the Waters aforesaid, any Seine, Net, Pot or other Implement used for catching or destroying said Fish, such Seine, Net or Implement shall be forfeited to the use of any person who may sue for the same: And it shall & may be lawful for any person to take remove or carry away, any Seine, Net or other Implement so found upon the Waters aforesaid, & convert the same to his own use.—

And be it further enacted that no person or persons shall at any time set or continue any Ware, Seine, Net or Fish Pot in any of the Rivers or Waters aforesaid where Salmon, Shad or Alewives have heretofore usually passed, except the ^sd River Merrimac on penalty of forfeiting Twenty Dollars for each offence & for the use of any person who will sue for the same, with cost of prosecution And it shall be lawful for any person to destroy any Ware, Seine, Net or Fish Pot which shall be set or continued contrary to this Act.—

And be it further enacted that each Town adjoining Merrimac, Pemigawasset or Winnepesaukee Rivers or on any Streams falling thereinto where Salmon Shad or Alewives do, or heretofore have been known to frequent shall at their Annual meeting choose some suitable person as Fish Wardens, not exceeding Seven nor less than Three at the discretion of the Town so choosing whose duty it shall be to see that the Laws for the preservation of Fish on said Rivers are duly Observed, & if any person legally chosen by any of said Towns shall neglect or refuse, after being lawfully notified of his appointment to take the Oath prescribed by this Act or execute the Office he shall forfeit & pay Ten Dollars to any Person who will sue for the same, with cost as aforesaid. And be it further enacted that the following shall be the Oath to be administered to any person

chosen as Fish Warden— You Swear that you will, to the best of your Ability see that the Laws for the Preservation of Fish on Merrimac, Pemigawasset & Winnepesaukee Rivers so far as they respect the Rivers & Waters contiguous to the Town of _____ are observed & kept according to the true Intent and meaning thereof—

[CHAPTER 20.]

State of }
New Hampshire. }

AN ACT TO SUBSTANTIATE AN INSTRUMENT PURPORTING TO BE THE
LAST WILL AND TESTAMENT OF JANE SIMPSON DEC^d

[Approved January 14, 1795. Original Acts, vol. 14, p. 97; recorded Acts, vol. 9, p. 57.]

Whereas Sarah Simpson of Orford In the County of Grafton and State of New Hampshire Single woman, hath petitioned this Court setting forth that her Sister Jane Simpson late of said Orford died on the twelfth day of August last past, and left an Instrument, purporting to be her last Will and Testament, that the said Instrument was by her the Said Sarah Simpson committed to her Brother William Simpson, to be by him offered to the Court of Probate for the County of Grafton in said State to be there approv'd that the Judge of said Court directed that a Dedimus shou'd be annexed to the said Testament, which Dedimus was annex^d to the Same Testament and directed to John Hale Esquire of Portsmouth, empowering him to take the deposition of William Gardner Esquire of said Portsmouth, who was a Subscribing witness to the said testament, that the said John Hale Esquire Executed the trust reposed in him by taking the deposition of the Said Will. Gardner Esq^r and certified the Same under his hand, that the said proceedings were entered on the back of said Testament, that the same was return'd by said Hale to the Said William Simpson that the said William Simpsons Saddle bags were Robbed of part of their contents and this testament with many other papers of Value Stolen therefrom— Wherefore the Said Sarah Simpson pray'd the Interposition of this Court, On Which petition a day of hearing was assign'd, and the Heirs of the Said Jane Simpson were notified, and present by their Council learned in the Law— Upon which hearing the said Sarah Simpson presented a copy of a certain Instrument purporting to be the Copy of the said Will and Testament which Copy was taken and fil'd in the Registers office in the said Court of Probate, with a copy of said Dedimus thereon, In the following Words, letters and figures Viz—

“In the Name of God Amen— I Jane Simpson of Portsmouth In
“the County of Rockingham and State of New Hampshire Single
“woman knowing the certainty of my Death and the uncertainty of

“the Time thereof and being now in health and of Sound and disposing mind and memory blessed be Gods holy name therefor, do “make publish and declare this my last Will and Testament In manner and form following—

“1st And principally I commend my Soul to God its Creator “hoping and believing in its Resurrection to Eternal life and that “through the Mediation of Jesus Christ my beloved Saviour and “redeemer I may obtain a full Remission of all my Sins— My body “I commit to the Earth from whence it came to be decently buried “at the Discretion of my Executrix herein aftermention’d and with “Respect to such worldly Estate with which it pleased God to bless “me I give bequeath and dispose thereof in the following manner—

“Imprimis I will that all my Just Debts and funeral expences “be paid by my Executrix in a convenient time after my death—

“Item I give unto my Dear and beloved Brother William Simpson of Orford Esq^r a Gold Ring Desiring his acceptance thereof as a token of my love and affection for him and of my gratitude to him for his great regard and Attention to me in and through all the various trials of my life—

“Item I give unto Thomas Simpson Son of my brother Thomas Simpson Esq^r deceas’d a Gold Ring as a token of my love to him and Remembrance of his Dutiful behaviour toward me, and I Recommend him to my Executrix desiring that She would Shew him her friendship and regard as he may merit the same or Stand in need of her assistance as an orphan child of a brother—

“Item I give a Gold Ring to Joseph Simpson Son of my said brother William Simpson Esq^r as a token of my love and great affection to and for him—

“Item I give bequeath and devise unto my dearly beloved Sister Sarah Simpson and her heirs and assigns all the Rest Residue and remainder of my Estate Real and personal of every name nature and kind and wheresoever the same may be found belonging or of Right appertaining unto me Such as Houses lands house furniture wearing apparel plate of any kind Silver Gold money in hand Stock in Trade bonds Notes or book Debts, nothing excepted or reserved also any Estate in—— or remainder which may come to me any ways or means whatsoever all which I give unto my said Sister from a principle of gratitude and in Return for her fondness love & affection towards me and in consideration that She has borne & Sheared with me in all the trials and afflictions of our lives and that with a Constancy firmness and unshaken fortitude which does honor to her Sex

“lastly I Nominate and appoint my Said Sister Sarah Simpson Sole Executrix of this my last Will & testament hereby publishing and declaring that this Instrument contains my last

"and only will and hereby revoking all former Wills by me
 "heretofore made and executed— In Witness whereof I have
 "hereunto Set my hand & Seal this fifth day of October 1789
 Jane Simpson (Seal)

"Sign'd Seal'd publish'd and declared by the testatrix as and
 "for her last Will & testament In the presence of us the Subscribers
 "who have Sign'd our Names as Witnesses in the presence of said
 "Testatrix and of each other—

"W^m Gardner
 "William Simpson
 "Thomas Simpson

"Grafton ss Charles Johnston Esquire Judge of the Court for
 "Probate of Wills &c in and for said County of Grafton—

" (Seal) To John Hale Esq^r a Justice of the peace in and for
 "the County of Rockingham— Greeting—

"Whereas the Instrument hereunto annexed purporting to be the
 "Last Will & testament of Jane Simpson Single woman formerly of
 "Portsmouth but late of Orford in said County of Grafton deceased
 "hath been presented to this Court for probate by Sarah Simpson
 "the Executrix therein named and Whereas it is said that William
 "Gardner whose name is Subscribed to the Execution of said Will
 "as a Witness lives at Portsmouth in Said County of Rockingham
 "and more than thirty miles distant from the place of holding this
 "Court Therefore pursuant to the law of this State In such case
 "provided you are hereby authorised and impowered to take the
 "deposition of the Said Gardner in writing and certify the same to
 "this Court soon as may be— Given under my hand and the Seal
 "of said Court the Second day of October Anno domini 1794

Charles Johnston

And the register of said Court of Probate hath certified in the
 words & figures following

"Grafton ss Probate Office— I hereby certify that when the
 "Will of the within named Jane Simpson was presented to the Court
 "of probate In the County of Grafton for approbation and allowance
 "I annex'd a Dedimus thereto directed to John Hale Esq^r of Ports-
 "mouth Authorising him to take the Deposition of William Gardner
 "a Subscribing Witness to the said Will which Dedimus was Sign'd
 "by the Judge of Said Court and the Seal of the Said Court was
 "affixed thereto and that I delivered the said Will with the Dedimus
 "annex'd to William Simpson Esq^r previous to which My Son who
 "writes in my Office had made a Copy of Said Will and Dedimus
 "to be annexed to letters Testamentary which Copies now remain
 "in my Office that I had not examined and Certified Said Copies
 "antecedent to my delivering the Originals to the said W^m Simpson
 "but the Inclosed are true copies of those in my Sons hand writing—

“And I have no Reason to suppose them erroneous or different from
“the Original

“December 27^h 1794 Attest Moses Dow Reg^r Prob^t—

Which with the Depositions of William Gardner and John Wendell Esq^r and the Oral testimony of John Hale Esq^r with other proofis and Documents appear to be Satisfactory proofi relative to the premises and the prayer of said petition appearing Reasonable—

Therefore be it Enacted by the Senate and house of Representatives In General Court Conven’d, that the Said proofis and Documents be fil’d and recorded in the Office of the Court of probate in the County of Grafton, that thereupon the said paper purporting to be a Copy of the last Will & Testament of Jane Simpson Deceas’d now fil’d in the Office of the Court of Probate be taken used and considered as the last Will and Testament of the Said Jane Simpson and that the Said Judge approve of the Same accordingly, which being compleated Shall have the same force and effect In Law for the purposes therein mentioned as the Original Will and Testament of the Said Jane Simpson might could or ought to have; had the Same been proved and approved In Due Course of Law

[CHAPTER 21.]

State of }
New Hampshire. }

AN ACT FOR THE RELIEF OF DAVID BATCHELDER—

[Approved January 14, 1795. Original Acts, vol. 14, p. 98; recorded Acts, vol. 9, p. 68.]

Whereas it hath been made to appear that heretofore one Robert Page at the Court of Common Pleas holden at Exeter in the County of Rockingham on the last Tuesday of July Anno Domini one thousand Seven hundred & eighty two, recovered Judgment against the said Batchelder upon a certain Report of Referrees for the sum of one hundred and forty two pounds sixteen shillings & seven pence damages and Seven pounds eighteen Shillings & eight pence Cost, and Execution thereon hath since issued and been satisfied, and in the Report of said Referrees an Error, to the great injury of the said Batchelder, happened; occasioned by a Mistake in the admeasurement of certain Land;— For remedy whereof,—

Be it Enacted by the Senate & House of Representatives in General Court convened that the Clerk of the said Court of Common Pleas Be, & He hereby is empowered and directed, at the next Court of Common Pleas to be holden in said County, to bring forward & reenter on the Docket Book of said Court, the actions whereon the aforesaid Proceedings were had: And the Justices of said Court

are Hereby authorized and directed to recommit to said Referrees the Rule & Papers whereon said Report was made; And the said Referrees are hereby empowered to notify the said parties to appear before them, to reconsider their aforesaid doings, correct any Error which may have happened therein, & make Report to said Court of the Sum wherein the said Batchelder is aggrieved by the Error aforesaid: And the said Court is hereby empowered to render Judgment on said Report, and issue Execution therefor with costs, as in other cases. And in case the said Referrees shall refuse to act upon said Rule, the same and the papers shall be returned into Court, and upon due notice being given to the said Page, the said Court may & shall proceed to hear and try said actions and render such Judgment therein as would have been rendered had said actions been reviewed in common form, and issue Execution therefor with costs—And if the said Page shall neglect or refuse to appear before said Court & proceed to trial, the aforesaid Judgment may, upon satisfactory Evidence of said error being shewn, be reversed for such sum as shall appear to be Just and right, and the Court shall render Judgment in favor of said Batchelder therefor with costs & issue Execution accordingly.—And in case said action or Actions, shall be tried by Jury or on Demurrer, and be appealed to the Superior Court, the Justices, of said Court, may & shall hear, try, and determine, said actions, & render Judgment; thereon, and issue; Execution therefor, in the same way & manner as the said Court of Common Pleas—is empowered & directed by this Act to do—

[CHAPTER 22.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER CONNECTICUTT RIVER AT OR NEAR THE BOUNDARY LINE BETWEEN HAVERHILL AND BATH IN THE COUNTY OF GRAFTON, AND FOR SUPPORTING THE SAME.—

[Approved January 14, 1795. Original Acts, vol. 14, p. 99; recorded Acts, vol. 9, p. 78. See additional act of December 15, 1797, recorded Acts, vol. 11, p. 50.]

Whereas a Bridge over said River at the Place above-named would be of public Utility and whereas Asa Porter of said Haverhill Esquire, hath petitioned the General Court to grant to Him and those who may associate with Him the sole and exclusive Right of building and supporting a Bridge or Bridges at the Place aforesaid—

Be it therefore enacted by the Senate and House of Representatives in General Court convened that the said Asa Porter together with those Persons who shall become his Associates and Proprietors

in said Bridge so long as they continue to be Proprietors thereof, shall be a Corporation or Body Politic for the Purposes aforesaid under the Name of the Proprietors of Haverhill Bridge, and by that Name may sue and be sued to final Judgment and Execution, and do and suffer all Matters acts and Things which Bodies Corporate may or ought to do or suffer— And the said Corporation shall and may have and Use a common Seal and the same may break, renew and alter at Pleasure—

And be it further enacted that the said Porter or the principal Proprietor in said Bridge shall and may call a Meeting of the Proprietors thereof by Advertizement in any News Paper published within the State of New Hampshire and posting up a Copy of said Advertizement at some public Place within the said Town of Haverhill to be holden in said Town at any Time after fourteen Days from the publication of said Advertizement— And the Proprietors by a Vote of the Majority of those present or represented at said Meeting (accounting and allowing one Vote to each Share in all Cases) shall chose a Clerk who shall be sworn to the faithfull Discharge of said Office, and may also agree on a Method for calling future Meetings, And at the same or any subsequent Meetings may elect such Officers and make and establish such Rules and bye Laws as to Them shall seem necessary and convenient for the Regulation and Government of said Corporation for carrying into Effect the Purpose aforesaid, and for collecting the Toll herein after granted and established, And the same Rules and Bye Laws may cause to be executed, and may annex Penalties to the Breech thereof not exceeding forty Shillings for any one Breech, to be deducted out of the delinquent's proportion of the Toll— provided the said Rules and bye Laws are not repugnant to the Constitution of this State— And all Rules, Bye Laws, Regulations and Proceedings of said Corporation shall be fairly and truly recorded by the Clerk in a Book or Books to be kept for that Purpose—

And be it further enacted that the Proprietors aforesaid be and hereby are permitted and allowed to erect and maintain a Bridge or Bridges over Connecticutt River at the Place aforesaid, and said Proprietors are hereby empowered to purchase any Lands adjoining said Bridge and to hold the same in Fee simple— And the Share or Shares of any of said Proprietors may be transfered by Deed duly executed, acknowledged and recorded by the Clerk of said Proprietors on their Records—

And be it further enacted that for the Purpose of reimbursing the said Proprietors the Money by Them expended in building and maintaining said Bridge a Toll be and hereby is granted and established for the Benefit of said Proprietors according to the Rules following (namely) for each foot Passenger two Cents— for each Horse and Rider five Cents — for each Horse & Chaise, Chair or

Sulkey ten Cents— for each Sleigh drawn by one Horse five Cents— for each Sleigh drawn by more than one Horse ten Cents— for each Curricle, Coach, Phaeton or other four Wheel Carriage for Passengers twenty Cents— for each Cart or other Carriage for Burthen drawn by one Beast eight Cents— for each Waggon Cart or other Carriage of Burthen drawn by two Beasts twelve Cents and by more than two Beasts twenty Cents— for each Sledge drawn by one Horse five Cents and by two Horses or a Yoake of Oxen twelve Cents, if by more than two Horses or a Yoake of Oxen twenty Cents— for each Horse or neat Creature (exclusive of those rode on or in Carriages) two Cents— for Sheep or Swine an half Cent each—to continue for the Term of twenty years from the Time of passing this Act—After which Time the Rate of Toll shall be regulated (upon application) by the supreme Judicial Court of this State— but so that the net Profits shall not be less than twelve pr Cent pr annum to the Proprietors or Owners of the Bridge—

And Whereas it is represented by said Petitioner that there is a small Island in said River in the Place where said Bridge is to be built and on which one End of the Arch, must stand containing about half an Acre which it would be very necessary and convenient for the Proprietors of the Bridge to hold— Be it enacted that all Right and Title of said State of New Hampshire to said Island be and the same is hereby granted and vested in the Proprietors of said Bridge their Heirs & Assigns provided the same doth not exceed the Quantity of one Acre—

And be it further enacted that the exclusive Right of building and maintaining a Bridge or Bridges across Connecticut River any where between a Point in said River two Miles north of the north Line of said Haverhill and the lower End of the largest Island in said River within the said Town of Haverhill which Island was first granted to Benjamin Whiting and now known by the Name of Hale's Island be and hereby is fully granted to said Porter and such Persons as may associate with Him and become Proprietors therein to His and their Heirs and Assigns forever—

And be it further enacted that if any Tax or Assessment made by the said Corporation for compleating or repairing the said Bridge on the several Shares (the whole being considered to consist of ten Shares) shall be unpaid at the Time limited for Payment of the same, They may proceed to sell the Delinquent's Share by public Auction as the Proprietors may agree and determine and if any Overplus remains after paying said Tax or Assessment and Charges it shall be returned to the delinquent Proprietor—

And be it further enacted that if the aforementioned Bridge shall not be compleated fit for traveling over within four Years from the Time of passing hereof this Act and every Clause thereof shall be

[CHAPTER 23.]

State of }
New Hampshire. }

AN ACT GRANTING A TOLL BRIDGE OVER A CERTAIN PART OF CONNEC-
 TICUTT RIVER TO JONATHAN CHASE OF CORNISH IN THE COUNTY
 OF CHESHIRE ESQUIRE—HIS HEIRS AND ASSIGNS—

[Approved January 14, 1795. Original Acts, vol. 14, p. 100; recorded Acts, vol. 9, p. 86. See additional act of June 16, 1796, recorded Acts, vol. 10, p. 26. See act of December 8, 1796, which increases the toll, recorded Acts, vol. 10, p. 160.]

Whereas Jonathan Chase of Cornish in the county of Cheshire Esquier hath Petitioned the general Court praying for liberty to build a Toll Bridge over a certain part of connecticut river at his Ferry place at said Cornish under certain restrictions and limitations upon Which Petition a public hearing was had and the prayer of the said Chase appearing so far reasonable that he his heirs and assigns have The exclusive previlge of building a Toll bridge over said river at the place where said ferry is kept or as near as may be consistant with the good of the public— and the exclusive privilege within the Limits of said Ferry for ever and also the exclusive previlege of building bridges three miles up and three miles down said river from the place where the said Ferry is now kept— for the Term of Thirty years —be it therefore Enacted by the Senate and house of representatives in general court conven^d that there be and hereby is granted to the said Jonathan Chase his Heirs and assigns forever the sole and exclusive right and privilege of Building a Bridge at the place aforesaid and of building Bridges at any other place and places within The Limits of his said Ferry Grant forever— and also the Sole and exclusive right and privilege of building bridges three miles above and three miles below said intended place of Building said Bridge at the Ferry owned and kept by said Chase from said cornish to Windsor in the state of vermont for the Term of Thirty years from the passing this act

And be it further enacted that the said Jonathan Chase his Heirs and assigns, and such other person or persons as may Hereafter become proprietors and owners by gift purchase, or Otherwise in this grant—be and they hereby are Incorporated into a body politic and corporate so Long as they shall Continue to be proprietors thereof under the name of the proprietors of the cornish Bridge and by that name may Sue and be sued to Final Judgment execution and sattisfaction and do and Suffer all matters Acts and things which bodies politic and Corporate may and Ought to do or suffer— and the said Corporation shall have and use one common seal and the same may break alter and renew at pleasure— And be it further Enacted

that the said Jonathan Chase Esquier shall warn the first meeting of those who may become proprietors thereof By Advertizing the same in the newspaper printed in the County of Cheshire three weeks successively before the time of holding, such meeting and there meetings shall forever afterwards be warned in shuch way and manner as the Proprietors may agree— and the proprietors by A vote of the majority of those present or represented at any Legal Meeting accounting and allowing one vote to each share in all cases shall choose a Clerk who shall be sworn to the faithful discharge of his said office— and the said proprietors at any Legal meeting may elect any necessary officers for the purpose of regulating and Governing said corporation for carrying into effect the purposes intended and for collecting the toll herein after granted and established by this act and Make pass and cause to be executed any bye Laws as to them may appear necessary with penalties not exceding forty Shillings for any breach thereof provided such rules and bye Laws be not repugnant with the Constitution and Laws of this state and all representations at any of said Meetings shall be proved by a writing Signed by the person to be represented Which shall be filed with there Clerk in said proprietors book and this act and all bye Laws rules and Regulations and proceedings of said Corporation shall be Fairly and truely recorded by the Clerk in a book or books to be provided and kept for that purpose—

And be it further enacted that said Jonathan Chase or said Proprietors, be and they hereby are permitted and allowed to erect a bridge over Connecticutt river at the place where said Chases Ferry is now kept or as near as may be, from Said Cornish to said Windsor, and the said Chase or the Said Proprietors are hereby authorized to purchase any Land adjoining said intended place for building said Bridge and the same to hold in fee simple— and the share or shares to those who may become proprietors of said Bridge shall be transfer'd by Deed duly executed and recorded by the Clerk in said Book or books and be it further enacted that for the purpose of reimbursing said Chase and the proprietors the moneys by him or them to be expended in building and Supporting said bridge a toll be and hereby is granted and established to him or them according to the rates following, namely— For each foot passinger two cents for each horse and rider five cents For each horse and chaise chair or sulkey ten cents— for each riding Sleigh Drawn by one horse five cents for each riding sleigh drawn by more then one horse ten cents, for each sled drawn by one beast five cents for each Sled drawn by two beasts ten cents for each sled drawn by three beasts Fifteen cents for each Sled drawn by four beasts twenty cents and for all Beasts over and above four three cents each— for each Coach Chariot Phaeton or other four Wheeld carrige for passingers twenty cents, for each Curricke fifteen cents for each cart or other carriage

of burthen drawn by one beast five cents by two beasts ten cents by three beasts fifteen cents by four beasts twenty cents and for all over and above four three cents each for each Horse mule Jack or neat beast exclusive of those rode on or in carriages two cents each for Sheep and Swine half of one cent each— and to each team one person only shall be allowed to pass free of Toll, and at all times When the Toll gatherer shall not attend his duty the gate or Gates shall be left open—

Provided nevertheless, that from and after twenty years from the passing this act the Justices of the Supreme Judicial court of this state shall have in their power and upon Application it shall be their duty from time to time to state the Toll in such manner as may appear Just provided that the net proceeds thereof shall not be less than twelve percent per annum for The cost of building repairing and attending said bridge—

And be it further enacted, that in case said intended bridge shall not be built and compleeted within four years this act shall be null and void anything herein to the contrary notwithstanding

[CHAPTER 24.]

State of }
New Hampshire. }

AN ACT TO PREVENT DAMAGE BEING DONE BY HORSES MULES & JACKS—

[Approved January 14, 1795. Original Acts, vol. 14, p. 101; recorded Acts, vol. 9, p. 94. Laws, 1797 ed., p. 340; id., 1805 ed., p. 344; id., 1815 ed., p. 405; id., 1830 ed., p. 197. See act of June 17, 1811, id., 1815 ed., p. 410.]

Be it Enacted, by the senate and house of Representatives in General Court convened, that from & after the first day of march, untill the last day of November, in Each year, no horse, horse-kind, mule or Jack, more than six months old, shall be suffered to go at large on any highway, or common in any Town in this state, unless such horse, horse kind, mule or jack, Shall be Fettered with good and Sufficient Fetters, on penalty that the owner, or owners therof, or person having the care of Such horse, horse kind, mule or Jack, forfeit and pay, one dollar for Each offence, to be recovered by action of debt before any Justice of the Peace, by any person who shall sue for the same with costs of prosecution, unless it shall appear, that such horse, or horse kind, was going at large without the Knoledge, or Negligence of the owner, or person having the care therof as aforesaid—

And be it Further Enacted, that from and after the last day of November, untill the last day of march in Each year, any horse, horse kind, mule or jack, going at large with, or without, Fetters in

any highway or common, as aforesaid, the owner, or owners, or persons having care thereof, shall be liable to the forfeiture of one Dollar, to be recovered by any person who will sue for the same in manner aforesaid—

And be it Further Enacted, that any Person sustaining any damage in the public highway, or common by any horse or horse kind, going at large with, or without Fetters, shall recover of the owner, or owners Treble the amount of damage, with Costs of Prosecution, by action in any Court competent to try the same.

Provided, Nevertheless, that nothing in this act shall be Construed to Tolerate any horse, horse kind, mule or jack, going at Large, that is known to be unruly by Pushing down Bars, or any kind of fence, and the same hath been made known to his owner; in Every such case, the owner, or owners, Therof, Shall be liable to the penalty of one dollar, to be recovered as aforesaid; said horse, horse kind, mule or Jack, being fettered, notwithstanding.

[CHAPTER 25.]

State of }
New Hampshire. }

AN ACT TO RESTORE WILLIAM GREGG ESQUIRE TO HIS LAW IN A CERTAIN ACTION—

[Approved January 14, 1795. Original Acts, vol. 14, p. 102; recorded Acts, vol. 9, p. 97. See additional act of June 18, 1795, recorded Acts, vol. 9, p. 176.]

Whereas William Gregg of Londonderry in the County of Rockingham Esq^r hath petitioned the General Court representing —that John Anderson of the same Londonderry Wheelright— commenced an action against the said Gregg at the Inferior Court of Common pleas holden at Exeter within and for said County in august Annodomini one thousand seven hundred and eighty six upon a note of hand given to said Anderson by said Gregg, the principal and interest of said note, when liquidated according to law, amounted to about eleven pounds—That prior to the commencement of the aforesaid suit he fully paid said note—That said Anderson had made frequent sales of said note for much less than its nominal value—That said Anderson at that time had no other demands against said Gregg—that said Action was submitted to referees— that they made their report to the Court of Common pleas for said County Nov^r term in the same Year for forty five pounds damage and about five pounds cost— And the said Gregg pray'd to be restored to his law in said Action— And upon a full hearing on said petition the prayer of said Gregg appearing reasonable

Be it enacted by the Senate and House of Representatives in General Court convened — That the said Gregg have liberty to reenter said Action, in the nature of Reviewed actions, at the next Court of Common pleas to be holden in and for said County of Rockingham; And the Justices of said Court are hereby authorized and directed to take cognizance of said Action, and the said Gregg, or his Attorney, shall then submit the action and all demands to Referees, if the said Anderson or his Attorney shall also agree thereto— The said Court to appoint the Chairman and said parties each to appoint one Referee— and in case any one of the Referees shall refuse to sit thereon, any two of them shall be empowered to report—And they are authorized to proceed *ex parte* in case of the non-attendance of either party after having been duly notified — and report being made to Said Court by the Referees— aforesaid, the said Court are directed to proceed thereon as in other cases of submission to Rules of Court—

And be it further enacted, that in case the said Anderson shall neglect or refuse to appoint a Referee as aforesaid the said Court are hereby authorized and directed to hear, try and determine said Action and all demands between the said parties — And each party shall have a right to bring forward and support any demand which he may have against the other, And may file new declarations, although the cause of Action may be variant and make proper pleadings thereon—And the said Court are hereby authorized to Give Judgment and Issue Execution thereon accordingly, any law usage or custom to the contrary notwithstanding—

And be it further enacted that if the said Gregg shall refuse to refer the said Action and all demands this Act shall be of no force or effect—

And be it further enacted that a Copy of this Act shall be given to Said Anderson or left at his last and usual place of abode fourteen days prior to the time of holding the said Court of Common pleas, which shall be deem'd sufficient notice for him to appear and answer to said Action of Review—

[CHAPTER 26.]

State of }
New Hampshire. }

AN ACT TO FACILITATE THE OPENING AND MAKING PASSABLE A CERTAIN ROAD FROM BARLOWS MILLS, SO CALL'D, IN STRATFORD IN THE COUNTY OF GRAFTON IN SAID STATE TO THE GREAT ROAD IN SHELBURNE—

[Approved January 16, 1795. Original Acts, vol. 14, p. 103; recorded Acts, vol. 9, p. 101. See additional act of December 20, 1797, recorded Acts, vol. 11, p. 7.]

Whereas a Road or highway beginning at Barlows Mills so call'd in Stratford in the County of Grafton in said State, thence Running through Stratford, Piercy, Winslows Location, Paulsburg, Mainsburg, Shelburne addition and to the great Road in Shelburne has of late been laid out by order and at the Expence of this State, And Whereas the opening and making passable the said Road would be of great public utility

Therefore, be it Enacted by the Senate and house of Representatives In General Court conven'd, that the Proprietors and owners of Lands in the several Towns and places through which said Road is laid respectively ought and shall within two years from and after the passing of this Act cut clear bridge and make passable for loaded Teams and passengers the said Road or highway within their respective Towns and places and produce to the Treasurer of this State an authentic certificate thereof from the Court of Common Pleas in the County where Said Road is Situated — And be it further Enacted that upon the failure or neglect of the Proprietors and owners of any all or either of the said Towns and places respectively to cut clear bridge and make passable the said Road or highway in manner aforesaid and to produce a Certificate thereof as aforesaid, that it shall be the Duty of the Treasurer of this State for the time then being and it is hereby directed that the said Treasurer do thereupon issue his warrants for levying collecting & paying into the Treasury of this State a sum or sums equal to three cents upon the Acre on each and every acre of Land in all such delinquent Towns & places respectively and that the said Treasurer with all officers and other Persons therein concern'd observe and govern themselves by the Rules directions and regulations prescrib'd in Law for Collecting State Taxes upon unimprov'd lands in Towns and places unincorporated which Sums when paid into the Treasury are hereby appropriated to the Sole purpose of cutting clearing bridging and making good and passable as aforesaid the said Roads in the Respective Towns and places, in such manner as the General Court

shall hereafter direct— And it is further Enacted that the Secretary cause the whole of the foregoing act to be publish'd three weeks Successively in the New Hampshire Gazette commencing within one Month from and after the passing hereof—

[CHAPTER 27.]

State of }
New Hampshire. }

AN ACT TO AUTHORIZE JEREMIAH EAMES ESQ^R AND OTHERS TO BUILD A FREE BRIDGE OVER CONNECTICUTT RIVER AT A PLACE CALED LITTLE FALLS AT NORTHUMBERLAND.

[Approved January 16, 1795. Original Acts, vol. 14, p. 104; recorded Acts, vol. 9, p. 105.]

Whereas Jeremiah Eames Esq^r in behalf of himself and others hath petitioned the General Court representing, that it would be of great public utility to have a Bridge built and supported at the place aforesaid, and prayed that he and others, might have the liberty of building and supporting a Bridge free of Toll at said place forever—

Be it enacted by the Senate and House of Representatives in General Court convened; That the said Jeremiah Eames and such other persons as have or may hereafter associate with him for that purpose, and their Successors,—Be and hereby are Incorporated into a body politic and corporate to have succession and duration forever, under the name and title of the Company of Northumberland Bridge with full power and authority, in Law to sue and be sued to final Judgment execution and satisfaction— And said corporation are hereby empowered to sue as aforesaid, any person or persons who have or hereafter may become subscribers for any sum of money, labor, real or personal estate, according to the tenure thereof, to be appropriated according to the true intent and meaning of any such Subscription, toward the building and supporting said Bridge—

And be it further enacted, that said company and their successors are hereby impowered to take receive and hold by gift Grant or otherwise any sum or sums of money or real or personal estate— for the purpose of building and keeping in repair said Bridge forever— provided the interest net profits and income of such money and estate exceed not the sum of two hundred dollars per annum.—

And the said company shall have, and they, have, hereby Granted to them and their successors the sole and exclusive privilege of building and supporting a free Bridge at the place aforesaid forever— And they shall have and use a common seal, and the same

may break renew and alter at pleasure—And be it further enacted that said company shall always have a Clerk who shall be under oath to the faithful performance of his office, and shall record all their proceedings in a book or books to be kept for that purpose, and all votes of said Company shall be according to their donations, accounting one vote for every three dollars in all cases—

And be it further enacted that the said Eames and such other persons as have or hereafter may become subscribers toward said Bridge, may, at any legal meeting make and pass any such rules and bye laws for the Governing and regulating their proceeding and for carrying into effect the design of this Act, as to them may appear proper, with or without penalties, and cause them to be put in execution for any sum not exceeding six dollars for any one offence—provided such rules and bye laws be not repugnant to the Constitution and Laws of this State—

And be it further enacted that the said Eames be and he hereby is appointed, and it shall be his duty, to warn the first meeting of said company who shall preside therein till a moderator be chosen, and the notice shall be by an advertizement of the time place and design of said meeting, in the Eagle printed in the County of Grafton and such other notice as shall in his opinion be most likely to give information to Said Company, and their meetings shall forever afterward be warned and holden in such way and manner and at such times and places as shall be by them at their legal meetings agreed upon—

Provided nevertheless; that in case the said intended bridge shall not be built and compleeted within three years this Act shall be null & void any thing herein to the contrary notwithstanding

[CHAPTER 28.]

State of }
New Hampshire. }

AN ACT FOR MAKING ENTRIES AT THE NEXT SUPERIOR COURT TO BE HOLDEN IN THE COUNTY OF CHESHIRE, & IN THE COUNTY OF GRAFTON, WHICH SHOULD HAVE BEEN MADE AT FORMER SESSIONS OF SAID COURT—

[Approved January 16, 1795. Original Acts, vol. 14, p. 105; recorded Acts, vol. 9, p. 110.]

Whereas a Quorum of Judges of the Superior Court of Judicature did not attend at Charlestown in the County of Cheshire on the third Tuesday of May last, nor at Keene in said County on the third Tuesday of October last, nor at Plymouth in the County of Grafton on the fourth Tuesday of May last, nor at Haverhill in said County of Grafton on the tuesday next following the fourth tuesday in October last at which times & places the said Court should have

been by Law holden— and for want of such a Quorum the Business could not be completed at either of the terms aforesaid & many Entries which would have been made in said Court if it had been legally holden at the times & places aforesaid were omitted—

Be it therefore Enacted by the Senate & House of Representatives in General Court convened that every appeal, Complaint Scire facias & process of any kind which might have been entered, sustained, tried or determined at said Court if it had been holden by a Quorum of said Judges at the times and places aforesaid, may in the same manner be entered, sustained, tried and determined at the Superior Court which shall next be holden in the same County where such appeal, Complaint, Scire facias or other process might have been entered or was returnable —And all Depositions duly captioned to be used at either of the Courts aforesaid, may be used in the respective causes for which they were taken—when said causes shall be entered pursuant to this Act— Provided Nevertheless that nothing in this Act contained Shall in any manner affect the Bail in any case, criminal or civil—

[CHAPTER 29.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT PRESCRIBING THE TIME & MODE OF REDEEMING REAL ESTATE MORTGAGED OR CONVEYED BY DEED OF BARGAIN & SALE WITH DEFEAZANCE.—

[Approved January 16, 1795. Original Acts, vol. 14, p. 106; recorded Acts, vol. 9, p. 113. Laws, 1797 ed., p. 229; id., 1805 ed., p. 160; id., 1815 ed., p. 197. The act referred to is dated February 16, 1791, Laws of New Hampshire, vol. 5, p. 724. Repealed July 3, 1829, Laws, 1830 ed., p. 486.]

Whereas the remedy by Action against the Mortgagee, Vendee, his heirs, Executors or administrators, or those claiming under him prescribed by said Act, when the condition of such Mortgage Deed, or Deed of defeazance hath been performed may by reason of the insolvent condition of such Mortgagee, Vendee or person claiming under him or by reason that his person or Estate may not be come at, so that the same may be attached to respond the damages in such case sustained prove ineffectual, for Remedy whereof. Be it enacted by the Senate & House of Representatives in General Court convened that whenever the Condition of such Mortgage Deed, or such Deed of Defeazance hath been or shall hereafter be fulfilled, or tender of the performance thereof hath been or shall be duly made, it shall & may be Lawful for the Mortgager, his heirs Executors Administrators or assigns in case of the neglect or refusal of the Mortgagee, vendee or person claiming under him to

acknowledge satisfaction & payment of such Mortgage or Deed, or otherwise to make & execute a Deed of quitclaim & release thereof as prescribed in said Act, to petition the Justices of the Superiour Court of Judicature or any one of them stating the conveying of such Estate, the Conditions, & the performance of the same, or the tender of performance thereof, whereupon the Justices of said Court or any one of them as aforesaid shall direct that the adverse party be served with a Copy of said Petition & order thereon, or that the same be left at his last & usual place of abode, fourteen days prior to the sitting of said Court then next to be holden in said County where such Mortgaged or conveyed Estate lies or in case that the adverse party be not an Inhabitant of this or an adjoining State, then, that the substance of said Petition and order thereon be published in such public Newspaper & so many times successively as the said Court or Justice shall direct: & upon proof of the fulfillment of said order, the said Court shall proceed to hear said Petition & if it shall appear that the Condition of such Mortgage Deed or that such deed of Defeazance hath been fulfilled or performed or that a tender thereof hath been duly made: the said Court shall adjudge & decree the performance or tender thereof as aforesaid: an attested Copy whereof being Recorded in the office of the Registry of Deeds in the County where such Mortgaged or conveyed Estate lies, shall have the same force effect & validity in Law that a quitclaim & release of such Mortgaged or conveyed Estate by the Mortgagee, Vendee or person claiming under him duly executed & recorded, might or Could have And whenever a tender shall be proved as aforesaid, the sum tendered shall be brought into Court, & delivered to the Clerk thereof to the use of such Mortgagee, Vendee or person claiming under him as aforesaid & in case, any Issue in fact upon said Petition shall be had, the same shall be tried by Jury. And Costs may be granted, or otherwise, as the Court all circumstances considered shall Judge to be Just & equitable—

[CHAPTER 30.]

State of }
New Hampshire. }

AN ACT FOR THE RELIEF OF WILLIAM HARPER.

[Approved January 16, 1795. Original Acts, vol. 14, p. 107; recorded Acts, vol. 9, p. 118.]

Whereas it hath been made to appear that William Harper Esq^r Execu^r of the last will and Testament of Samuel Harper late of Sandbornton in the County of Strafford Yeoman Deceased, heretofore shewed and preferred to the Honorable Joseph Badger Esq^r Judge of Probate for the County of Strafford, certain Reasons and

excuses for not offering said Will for Probate within thirty days from the Decease of the said Samuel Harper, which Reasons and excuses have been adjudged and ordered insufficient by the said Judge of Probate, and the said William Harper, feeling himself aggrieved at the said determination, or order hath claimed an appeal therefrom to the Superior Court of Judicature, and the said appeal was entered at said Court holden at Dover in and for said County of Strafford on the second Tuesday of September last past, and now stands continued, and Whereas doubts have arisen whether the Rules prescribed by Law to be observed in cases of appeals were fulfilled by said William Harper. Wherefore—

Be it Enacted by the Senate and House of Representatives in General Court convened, that the Justices of the Superior Court of Judicature be and they are hereby authorized, empowered and directed to hear and sustain said appeal, and Render Judgement on the aforesaid Reasons and excuses of the said William Harper any objections, that the said appeal hath not been claimed pursuant to Law, or the directions to be observed in cases of claiming an appeal as aforesaid have not been complied with notwithstanding.

[CHAPTER 31.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER MERRIMACK RIVER BETWEEN BUTLER'S FERRY SO CALLED AND CONCORD SOUTH LINE AND FOR SUPPORTING THE SAME—

[Approved January 16, 1795. Original Acts, vol. 14, p. 108; recorded Acts, vol. 9, p. 121. See additional act of December 9, 1796, recorded Acts, vol. 10, p. 133.]

Whereas a Bridge over said River at the place above mentioned will be of public utility and whereas Peter Green, Timothy Walker Thomas Stickney, William Duncan Robert Harris, William Austin Kent, William Partridge, William Manley and others their Associates have petitioned the General Court for liberty to build the same and to be incorporated for that purpose—

Be it therefore enacted by the Senate and House of Representatives in General Court convened, that the persons above named together with those their Associates who are or shall become proprietors in said Bridge so long as they continue to be proprietors thereof, shall be a Corporation and body Politic for the purposes aforesaid under the name of the Proprietors of Concord Bridge, and by that name may sue and be sued to final Judgment and Execution and to do and suffer all matters, Acts and things which bodies

Corporate may or ought to do, or suffer, and the said Corporation shall and may have and use a common seal and the same may break renew and alter at pleasure.

And be it further enacted that the said Peter Green shall call a meeting of said Proprietors by Advertisement in the New Hampshire Courier to be holden at any suitable time and place after fourteen days from the first publication of said Advertisement, and the Proprietors by a vote of the majority of those present, or represented at said meeting, accounting and allowing one vote to each share in all cases, shall choose a Clerk who shall be sworn to the faithful discharge of said Office, and shall also agree on a method of calling future meetings and at the same time or at any subsequent meetings may elect such officers and make and establish such rules and bye-laws as to them shall seem necessary or convenient for the regulation and Government of said Corporation for carrying into effect the purpose aforesaid, and for collecting the toll herein after granted and established, and the same rules and bye-laws may cause to be executed and may annex Penalties to the breach thereof not exceeding ten dollars for any one breach, Provided the said rules and bye-laws are not repugnant to the Constitution and laws of this State; and all representations at any meeting of said Corporation shall be proved by writing signed by the person to be represented which shall be filed with the Clerk, and this Act, and all rules, bye-laws, regulations and proceedings of said Corporation shall be fairly and truly recorded by the Clerk in a book or books provided and kept for that purpose—

And be it further enacted that the proprietors aforesaid be and hereby are permitted and allowed to erect a Bridge over Merrimack river any where between Butler's ferry (so called) and Concord south line inclusively and the said Proprietors are hereby empowered to purchase any lands adjoining said Bridge and to hold the same in fee simple and the share or shares of any of said proprietors may be transfered by deed duly executed acknowledged and recorded by the Clerk of said proprietors on their records—

And be it further enacted that for the purpose of reimbursing said Proprietors, the money expended by them in building and supporting said Bridge a toll be and hereby is granted and established for the benefit of said proprietors according to the rules following (namely) for each foot passenger one cent, for each horse and rider, three cents, for each horse and chaise, chair and sulkey or other riding carriage drawn by one horse only, ten cents, for each riding sleigh drawn by one horse, four cents, for each riding sleigh drawn by more than one horse, six cents; for each coach chariot phaeton or other four wheeled carriage for passengers drawn by more than one horse, twenty cents, for each, curricule, twelve cents, for each cart or other carriage of burthen drawn by two beasts ten cents and

three cents for every additional beast for each horse or neat creature exclusive of those rode on or in Carriages two cents, for sheep and swine one half cent each and to each team one person and no more shall be allowed as a driver to pass free of toll—

And be it further enacted that the exclusive right of building and maintaining a bridge across said River Merrimack any where between Butler's ferry so called and Concord south line be and the same is fully granted to said Petitioners and such as are or may be associated with them and become proprietors, their heirs and assigns —

And be it further enacted that if any tax or assessment made by said Corporation for compleating or repairing the said Bridge on the several shares shall be unpaid at the time limited for payment of the same, they may proceed to sell the delinquents shares by public auction as the proprietors may agree and determine, and if any overplus remains after paying the tax or assessments and charges, it shall be returned to the delinquent proprietor—

And be it further enacted that if the aforementioned Bridge shall not be compleated fit for traveling within two years from the time of passing hereof; this Act and every part thereof shall be null and void—

Provided nevertheless that the Proprietors of any ferry which may be within this grant shall not be interrupted in their right until said Bridge shall be built— and unless the Petioners shall pay the said proprietors one thousand three hundred and thirty three dollars at or before the time said bridge shall be made passable this Act shall be null and void—

[ORDERS, RESOLVES AND VOTES OF A LEGISLATIVE NATURE PASSED
DURING THIS SESSION.]

1795, January 10.

The Committee to take under consideration the Situation of the Town of Brookfield with respect to Representation & any other Town now unclassified— Reported that the Towns of Wakefield and Middletown be classed for the purpose of Sending one Representative to the General Court, and that the Towns of Wolfborough and Brookfield be classed for the Same purpose of sending a Representative to said Court— The Towns of Moultonborough and Tuftonborough be also classed and have liberty to send one Representative to said Court in future and that a Resolve be passed for that purpose—

Which report being read and considered voted that it be received and accepted—And a Resolve was brought in & passed accordingly—

[House Journal, 1794-99, p. 66. Senate Journal, 1791-6, p. 316.]

1795, January 13.

Voted that if the Proclamation of the President of the United states appointing a General Thanksgiving to be observed & kept throughout the United states shall be forwarded to his Excellency the Governor of this state that his Excellency be requested with advice of Council to take the necessary measures for publishing and dispersing to the Several Towns Parishes and places in this state the said proclamation and for recommending the religious observation of the day appointed—

[House Journal, 1794-99, p. 72. Senate Journal, 1791-6, p. 318.]

1795, January 15.

Resolved that the Senator from this State to the Congress of the United States lately appointed and such others as may be hereafter appointed to that Office have a Certificate or a Commission under the Seal of the state in the Same manner as is by Law directed for the Representatives to Congress— which resolve was read and concurred—

[House Journal, 1794-99, p. 86. Senate Journal, 1791-6, p. 326.]

1795, January 15.

Resolved that His Excellency the Governor Be, and he Hereby is requested to transmit the Remonstrance of the Legislature to Congress upon the Subject of the interferences of Congressional Jurisdiction with the Laws of this State— and that the Senators & Representatives of this State in Congress be desired to attend to and enforce the same

[House Journal, 1794-99, p. 83. Senate Journal, 1791-6, p. 335.]

[FOURTH GENERAL COURT.]

[Held at Hanover and Concord, Two Sessions, June 3, 1795, to January 1, 1796.]

[OFFICERS OF THE GOVERNMENT.]

JOHN TAYLOR GILMAN, GOVERNOR.
 JOSEPH PEARSON, SECRETARY.
 NATHANIEL PARKER, DEPUTY SECRETARY.
 OLIVER PEABODY, TREASURER.
 JOSHUA ATHERTON, ATTORNEY GENERAL.
 EBENEZER SMITH, PRESIDENT OF THE SENATE.
 JOHN PRENTICE, SPEAKER OF THE HOUSE.

[MEMBERS OF THE COUNCIL.]

Christopher Toppan,	Hampton.
Ebenezer Smith,	Durham.
Robert Wallace,	Henniker.
Thomas Bellows,	Walpole.
Jonathan Freeman,	Hanover.

[MEMBERS OF THE SENATE.]

Moses Leavitt,	North Hampton.
Nathaniel Gilman,	Exeter.
Joseph Blanchard,	Chester.
Joseph Cilley,	Nottingham.
John McDuffee,	Rochester.
Ebenezer Smith,	Meredith.
* William Gordon,	Amherst.
James Flanders,	Warner.
Ephraim Hartwell,	New Ipswich.
Daniel Newcomb,	Keene.
Amos Shepard,	Alstead.
Moses Baker,	Campton.

* William Gordon resigned and Daniel Emerson of Hollis was chosen June 18, 1795, to fill the vacancy.

[MEMBERS OF THE HOUSE.]

Acworth,	William Grout.
Alexandria. See New Chester.	
Allenstown and } Bow, }	George Evans.
Alstead,	Moses Hale.
Amherst,	Daniel Warner.

Andover,		Joseph Philbrick.
Antrim and	}	John Duncan.
Campbell's Gore,		
Atkinson and	}	Nathaniel Peabody.
Plaistow,		
Barnstead,		John Nutter.
Barrington,		Isaac Waldron.
		Eliphalet Cloutman.
Bartlett.	See	Conway.
Bath,	}	Peter Carleton.
Landaff and		
Lincoln,		John Orr.
Bedford,		Benjamin Little.
Boscawen,		
Bow.	See	Allenstown.
Bradford.	See	Fishersfield.
Brentwood,		Gilman Leavitt.
Bridgewater.	See	New Chester.
Brookfield.	See	Wolfeboro.
Burton.	See	Tamworth.
Campbell's Gore.	See	Antrim.
Campton.	See	Holderness.
Canaan.	See	Orange.
Candia,		Nathaniel Emerson.
Canterbury,		David McCrillis.
Charlestown and	}	Elijah Grout.
Langdon,		
Chester,		Arthur Livermore.
Chesterfield,		Simon Willard.
Chichester and	}	Robert Tibbetts.
Pittsfield,		
Claremont,		Oliver Ashley.
Cockburne.	See	Northumberland.
Cockermouth,	}	Joseph Burley.
Dorchester and		
Hebron,		
Colburne.	See	Northumberland.
Concord,		Daniel Livermore.
Concord (Lisbon).	See	Lyman.
Conway and	}	Obed Hall.
Bartlett,		
Cornish,		Daniel Chase.
Coventry.	See	Haverhill.
Croydon and	}	Benjamin Barton.
Wendell,		
Dalton.	See	Littleton.
Dartmouth.	See	Littleton.

Deerfield,	Joseph March.
Deering,	Robert Alcock.
Derryfield. See Litchfield.	
Dorchester. See Cockermouth.	
Dover,	Andrew Torr.
	Richard Tripe.
Dublin,	Thaddeus Mason.
Dunbarton,	David Story.
Dunstable,	Frederick French.
Durham,	Ebenezer Thompson, Jr.
East Kingston. See South Hampton.	
Eaton. See Tamworth.	
Effingham and } Ossipee,	Jacob Brown.
Enfield,	Jesse Johnson.
Epping,	Jonathan Clark.
Epsom,	Michael McClary.
Exeter,	Benjamin Connor.
Fishersfield and } Bradford,	Ebenezer Eaton.
Fitzwilliam,	Nahum Parker.
Francestown,	David Lewis.
Franconia. See Lyman.	
Gilmanton,	Samuel Greeley.
	Samuel Shepard.
Gilsum. See Surry.	
Goffstown,	John Pattee.
Goshen. See Unity.	
Grafton. See Orange.	
Greenland,	Joshua Weeks.
Hampstead,	John True.
Hampton,	Jeremiah Moulton.
Hampton Falls and } Seabrook,	Nathan Brown.
Hancock,	Samuel Gordon.
Hanover,	Russell Freeman.
Haverhill and } Coventry,	Nathaniel Merrill.
Hawke and } Sandown,	Thomas Page.
Hebron. See Cockermouth.	
Henniker,	Francis Bowman.
Hillsborough,	Benjamin Pierce.
Hinsdale,	Uriel Evans.
Holderness,	
Campton and Thornton,	John Mooney.

Hollis,
Hopkinton,
Jaffrey,
Keene,

Jeremiah Ames.
Thomas Bailey.
Joseph Thorndike.
Daniel Newcomb.

Daniel Newcomb was elected Senator and Jeremiah Stiles was chosen to fill the vacancy.

Kensington,
Kingston,
Lancaster. See Littleton.
Landaff. See Bath.
Langdon. See Charlestown.

Jeremiah Fogg.
John Eastman.

Lebanon,
Lee,
Lempster and }
Marlow, }
Lincoln. See Bath.

Nathaniel Porter.
Nathaniel Clough.
Elisha Huntley.

Litchfield and }
Derryfield, }
Littleton, }
Dalton, }
Lancaster and }
Dartmouth, }
Londonderry,

Isaac Huse.

Jonathan Cram.

Loudon,
Lyman, }
Concord (Lisbon) and }
Franconia, }
Lyme,
Marlborough,
Marlow. See Lempster.

John Prentice.
James Pinkerton.
Enoch Wood.

John Burt.

Mason,
Merrimack,
Middleton. See Wakefield.

John Fairfield,
Phinehas Farrar.

Joseph Barrett.
Jacob McGaw.

Milford and }
Raby, }
Moultonborough and }
Tuftonboro, }

William Peabody.

Nathan Hoit.

New Boston,
New Chester, }
Bridgewater and }
Alexandria, }

Ninian Clark.

Thomas Crawford.

New Durham and }
New Durham Gore, }
New Grantham. See Springfield.

Thomas Tash, Jr.

New Hampton,
Newington,

Thomas Simpson.
Ephraim Pickering.

New Ipswich,		Jeremiah Pritchard.
New London.	See Sutton.	
Newmarket,		Josiah Adams.
Newport,		Jesse Lane.
Newton,		James Peaslee.
Northfield,		Charles Glidden.
North Hampton,		Thomas Leavitt.
Northumberland,	}	
Piercy,		
Stratford,		
Cockburne,		William Cargill.
Colburne,		
Shelburne and		
Stewartstown,		
Northwood,		Jonathan Clark.
Nottingham,		Joseph Cilley.
Elected to Senate.	Bradbury Cilley	chosen as representative.
Nottingham West,		Joseph Greeley.
Orange,	}	
Canaan and		Daniel Blaisdell.
Grafton,	}	
Orford and		Samuel Currier.
Wentworth,		
Ossipee.	See Effingham.	
Packersfield and	}	Samuel Griffin.
Sullivan,		
Pelham,		Amos Moody.
Pembroke,		Daniel Knox.
Peterborough,		John Smith.
Piercy.	See Northumberland.	
Piermont and	}	Jonathan Merrill.
Warren,		
Pittsfield.	See Chichester.	
Plainfield,		Daniel Kimball.
Plaistow.	See Atkinson.	
Plymouth and	}	Josiah Brown.
Rumney,		
Poplin.	See Raymond.	
Portsmouth,		George Gains.
		John Hale.
		Nathaniel Folsom.
Raby.	See Milford.	
Raymond and	}	Enoch Smith.
Poplin,		
Richmond,		Rufus Whipple.
Rindge,		Daniel Rand.

Rochester,	Aaron Wingate.
	William Palmer.
Rumney. See Plymouth.	
Rye,	Joseph Parsons.
Salem,	Joseph Wardwell.
Salisbury,	John C. Gale.
Sanbornton,	William Harper.
Sandown. See Hawke.	
Sandwich,	Daniel Beede.
Daniel Beede was elected March 15, 1795. He served only one session. Ezekiel French was elected October 12, 1795.	
Seabrook. See Hampton Falls.	
Sharon and } Temple, }	Abijah Wheeler.
Shelburne. See Northumberland.	
Somersworth,	James Carr.
South Hampton and } East Kingston, }	Eliphalet Webster.
Springfield and } New Grantham, }	Nathaniel Little.
Stewartstown. See Northumberland.	
Stoddard,	Nathaniel Emerson.
Stratford. See Northumberland.	
Stratham,	Paine Wingate.
Sullivan. See Packersfield.	
Surry and } Gilsum, }	David Blish.
Sutton and } New London, }	Matthew Harvey.
Swanzey,	Calvin Frink.
Tamworth, } Eaton and }	Jacob Blaisdell.
Burton, }	
Temple. See Sharon.	
Thornton. See Holderness.	
Tuftonboro. See Moultonborough.	
Unity and } Goshen, }	Wilson Shaw.
Wakefield and } Middleton, }	David Copp.
Walpole,	Thomas Sparhawk.
Warner,	Aquila Davis.
Warren. See Piermont.	
Washington,	Azariah Faxon.
Weare,	Obadiah Eaton.
Wendell. See Croydon.	

Wentworth. See Orford.

Westmoreland,

Wilton,

Winchester,

Windham,

Wolfeboro and }

Brookfield, }

Joseph Burt.

Jonathan Burton.

Daniel Hawkins.

Samuel Armor.

Henry Rust.

[*First Session, Held at Hanover, June 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 1795.*]

[CHAPTER 1.]

State of }
New Hampshire. }

AN ACT FOR ALTERING THE TIME FOR HOLDING THE ANNUAL MEETING OF THE TOWN OF AMHERST.

[Approved June 16, 1795. Original Acts, vol. 14, p. 109; recorded Acts, vol. 9, p. 128.]

The Inhabitants of the Town of Amherst having petitioned for an alteration of their annual meeting from the second Monday of March, to the first Monday of the same month,

Be it enacted, by the Senate and House of Representatives in General Court convened, that the annual meeting of the Inhabitants of said Town of Amherst forever hereafter shall be held on the first Monday in March, any Law, Custom, or Usage heretofore to the contrary, notwithstanding.

[CHAPTER 2.]

State of }
New Hampshire. }

AN ACT TO BAR UNLIQUIDATED CLAIMS AGAINST THE STATE WHICH SHALL NOT BE PRESENTED WITHIN A LIMITED TIME.—

[Approved June 16, 1795. Original Acts, vol. 14, p. 110; recorded Acts, vol. 9, p. 129. Laws, 1797 ed., p. 171; id., 1805 ed., p. 212.]

Be it enacted by the Senate and house of Representatives in General Court convened, That all unliquidated claims existing against the State, prior to the fifth Day of March in the year of our Lord one thousand seven hundred & eighty nine, shall be presented for adjustment within two years, from the passing this act, and all such unliquidated claims which shall not be presented within the time aforesaid, shall be forever barred.—

[CHAPTER 3.]

State of }
New Hampshire. }

AN ACT VESTING THE ESTATE OF WILLIAM STARK LATE OF DUNBARTON IN THE COUNTY OF HILLSBOROUGH ESQUIRE, DECEASED, IN THE CHILDREN OF SAID WILLIAM, AND FOR OTHER PURPOSES THEREIN NAMED.—

[Approved June 17, 1795. Original Acts, vol. 14, p. 111; recorded Acts, vol. 9, p. 137.]

Whereas Stephen Stark of Goffstown in the County of Hillsborough, Gentleman, on behalf of himself and his Brother, William a Minor, under the age of twenty one years, for whom he is guardian, Thomas Stark of Newboston in the same County, Gentleman, James Stark of Dunbarton aforesaid husbandman, and David Stinson of the same Newboston, husbandman, for himself and Molly his wife, Daughter of said deceased, in her right have petitioned the General Court, of said State, setting forth, that said Estate under the Trusteeship of Stephen Harriman, was represented insolvent, and paid about Eleven shillings and four pence on the pound. That since, under the administration of James Duncan Merchant, it was also represented insolvent; and that Claims had come in against said Estate to the amount of Six hundred pounds, & upwards, and unwilling the just Debts of their father should remain unpaid, prayed that his Estate might be vested in them and their heirs, they paying said Debts, and the Charges of the administration of the said Duncan, which prayer appearing reasonable,

Therefore

Be it enacted by the Senate & house of Representatives in General Court, convened, that all the right and demand of the State of New Hampshire, in & unto the Estate of the said William Stark, Deceased, real & personal, be, and hereby is, granted to and vested in the said Stephen Stark, Thomas Stark, James Stark, William Stark, Minor as aforesaid, and Molly Stinson, all Children of the aforesaid William Stark, Deceased their respective heirs and assigns, as an Estate in common together with all actions and rights of action in Law or equity, accruing to or respecting the same, any Law of said State to the contrary notwithstanding, they the aforesaid Children of said Deceased, paying the Charges of the administration of said Duncan up to this time or such balance, if any, as may be found due to him on the final settlement of his administration account, to be adjusted in the probate Court or Courts for the County of Hillsborough together with additional Charges of such settlement, he accounting for all sums received— the said Children also paying all the just Debts of said Deceased, and giving bond

therefor as hereafter directed. And they or such of them as may administer as aforesaid shall be liable to the action of the Creditors in the same manner as administrators on Solvent Estates are liable, and may Defend the same, and may maintain actions in like manner.

And be it further enacted, That the judge of Probate for the County of Hillsborough be, and hereby is authorized and empowered to grant administration of the Estate of the said William Stark, Deceased, not heretofore administered by the said Stephen Harriman or by the said James Duncan, to the said Stephen Stark or such other of said Children of said Deceased, as he shall judge proper, such administrator giving Bond to the Judge of Probate aforesaid with sufficient Surety or Sureties, not only in common form, but also to pay all the just Debts of said William Stark deceased.—

Provided nevertheless, That nothing in this Act contained shall in any wise affect any sales made by the said Stephen Harriman, Trustee as aforesaid or by the said James Duncan administrator as aforesaid.

[CHAPTER 4.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN INHABITANTS OF ALSTEAD.

[Approved June 18, 1795. Original Acts, vol. 14, p. 112; recorded Acts, vol. 9, p. 131.]

Whereas Nathaniel Sartel Prentice and others, inhabitants of Alstead in the County of Cheshire in said State have petitioned this Court, setting forth that they are agreed as a religious Society; but not legally empowered to raise money for the purpose of supporting religious worship or building and repairing any place of public Worship and praying that they may be incorporated as a Society for those purposes, which prayer appearing reasonable—Therefore—

Be it Enacted by the Senate and House of Representatives in General Court convened— that the said Nathaniel Sartel Prentice, with John Wood, Elijah Holbrook, Isaac Kent, John Brigham, Jonathan Newton, Abel Phelps, Daniel Newell, Benjamin Wood, Oliver Brown, Nathan Fay, Asa Whitcomb, William Ward, Thomas Taylor, Abraham Brown, Laban Johnson, Jedediah Johnson, John Brooks, Spencer Brown, Thomas Wait, John Kent, Solomon Prentice, James Arch, Jesse Fay Eli Harrington, Larnard Mann, Amaziah Wheelock, John Brimmer, Samuel Smith, John Wait, Ephraim Barnard, Stephen Brigham, Sartel Prentice, Elisha Gale, Moses Blanchard, Phineas Olds, Silvester Partridge, Paul Gale, Samuel Ball, John Bryant, Sardis Miller, Abel Childs, Jonathan Atherton, Thomas Wood, and Jonas Newton, with such as may hereafter join with them, or

their successors be and they hereby are incorporated into a Society by the name of the second Parish in Alstead, to have continuance and succession forever; and are hereby invested, with all the immunities rights and privileges, which other parishes in this State have by Law right to exercise and enjoy. And be it further Enacted, that any person or persons, who may hereafter desire to join said Society and shall give in his name to the Clerk thereof with such his desire expressed in writing on or before the first day of April in any future year, such person or persons, being Inhabitants of said Town of Alstead and not otherwise, shall thenceforth become members of said second Parish and be entitled to all the rights, privileges and immunities to the said parish belonging in common with other members thereof, and shall also be subjected to a share of all burdens as in other parishes, and any person desirous of quitting said second parish and ceasing to be a member of the Corporation created by this Act— may by leaving a request in writing with the Clerk of the parish signifying his Intention, be considered, and shall afterwards actually be no longer a member thereof, provided, that any person quitting the same parish shall not thereby be freed from paying a proportionate part of all the Debts and burdens of the said parish at the time of his quitting the same—

And be it further Enacted that in either of the events aforesaid the Clerk of the parish with whom a writing may be left signifying the desire of any person to leave one parish and join the other, such Clerk shall within one week deliver or cause to be delivered to the Clerk of the other parish a Copy of the writing signifying the desire of any person to remove his Connection from one parish to the other after having made a record of the same, and it shall be the duty of the Clerk of each parish to keep a fair Record of all requests for leaving one parish and joining the other; and in case of any person being rated to both parishes and a record of such removal being made only in one Parish— the parish where the record is kept shall alone have right to recover the tax, though the other parish may claim the person as belonging to them.

And be it further Enacted, that the said second parish shall have authority to raise any sum or sums of money which they may from time to time judge necessary for the support of a minister and of a house for public worship and other expences incident thereto and to chuse all officers necessary to assess and collect the same, who shall have the same authority that other assessors and Collectors in this State are invested with, and shall be subject to the same penalties for negligence or misconduct in office—

And be it further Enacted, that the said Society or parish and all persons thereto belonging shall so long as they continue to be a Corporation be exempt from paying any thing towards the support of any minister or place of public worship except for said parish,— provided nevertheless that this act shall not be construed to excuse

any of them from paying taxes assessed before the passing this act or any who may hereafter join them from paying such taxes as may be legally assessed upon them before they join said Society—

And be it further Enacted that Nathaniel Sartel Prentice Esquire be, and he hereby is authorized to call the first meeting of said parish for the purpose of chusing necessary officers and to preside in the same untill a moderator shall be chosen—said meeting to be warned by posting up a copy of the warrant therefor at the meeting house in said second parish and another at the meeting house in the first parish at least fourteen days prior to such meeting—

And said Society may then agree upon the times and places and manner of calling future meetings, as they may judge best and consistent with the directions of the Laws of this State.—

[CHAPTER 5.]

State of }
New Hampshire. }

AN ACT TO RELINQUISH TO JOSHUA LAMKIN HIS HEIRS AND ASSIGNS A CERTAIN ISLEAND IN CONNECTICUTT RIVER—

[Approved June 18, 1795. Original Acts, vol. 14, p. 113; recorded Acts, vol. 9, p. 141.]

Whereas Joshua Lamkin of Stratford hath Petitioned the General Court representing, that in the year one thousand seven hundred and seventy four the late Governor of this then province engaged to make and execute a Grant of an Isleand in the river Connecticutt lying and being opposit to the Town of Stratford in the County of Grafton in the State aforesaid containing about twenty acres—That before said Governor had performed his said engagement, the late unhapy war took place, which prevented the completion of said intended Grant— That in consequence of said engagement he, at considerable expence, cleared, and hath ever since improved said Isleand, and that no person has since appeared to lay any claim thereto— & praying that said Island may be granted to him.

Be it therefore enacted by the Senate and House of Representatives in General Court convened, that all the right, title and property of this State in and unto the Isleand aforesaid, be and hereby is relinquished to the said Joshua Lamkin his Heirs and assigns forever—

And be it further enacted, that the said Isleand be and hereby is annexed to and made part of the Township of said Stratford as fully and amply to all intents and purposes as though it had been contained in and comprehended by the oreginal Grant or Charter of said Stratford and shall be considered in all future assessments for

all public taxes as fully and amply and in the same way and manner as though said Isleand had been comprehended and contained in said oreginal Charter, any Law or custom to the contrary notwithstanding—

[CHAPTER 6.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE SOUTHWESTERLY PART OF ALEXANDRIA IN THE COUNTY OF GRAFTON INTO A TOWN, BY THE NAME OF DANBURY.—

[Approved June 18, 1795. Original Acts, vol. 14, p. 114; recorded Acts, vol. 9, p. 144.]

Whereas a petition has been preferred to the General Court by most of the inhabitants of the town of Alexandria in the County of Grafton, setting forth that their local situation is very inconvenient for town meetings, public worship and other necessary town privileges, by reason of a large ridge of Mountains which intersects said town, and praying that a division of said town might be made at or near the middle thereof, and that the Southwesterly part thereof might be set off into a separate Town—

Therefore

Be it enacted, by the Senate and house of Representatives in General Court convened, That the lands and inhabitants contained within the Southwesterly part of said Alexandria, as described by the following boundaries from the Northeasterly part thereof, to wit, Beginning at a Beech tree on the South westerly corner of Alexandria and New Chester, South west of Ragged Mountain (so called); thence North twelve degrees west, on the line between Alexandria & New London about four miles and an half to a beech tree marked standing on the west line of Mason's patent, otherwise called the curved line; thence north easterly on said curved line about seven miles to the range line between lots Numbered nine and ten, in second division; thence South twelve degrees East about four Miles and an half to the line between New Chester and said Alexandria, between lots numbered one and Eighteen on said line in said Second Division; thence South fifty three Degrees West, to the bounds first mentioned about Six miles on the line between said Alexandria and New-Chester, Be, and they hereby are, incorporated into a separate town, by the name of Danbury And the said town of Danbury is hereby invested with all the powers, privileges and immunities to which other towns in this State are or may be intitled, agreeable to the Constitution and laws thereof, to have continuance and succession forever.

And be it further enacted, That the inhabitants of the said town of Danbury, shall pay all the arrears of taxes which have been assessed on them by the Town of Alexandria, or which may be assessed on them from this time to the first Day of March next, and shall pay their proportionable part of all debts due from said town of Alexandria— And shall take and support a proportionable part of all the poor persons which are now in said town of Alexandria and which may be therein on the first day of March next, and shall be intitled to receive their proportion of all monies and debts, now due to the said town of Alexandria, and also their proportionable part of all other property of the said town of Alexandria, of every kind and description whatsoever.

And be it further enacted, That the proportion of the said town of Danbury—of all State and County taxes there to be assessed until a new proportion shall be made, shall be ascertained & determined by apportioning upon said Town such part of the sum set against the Town of Alexandria by the last proportion Act, as was the year past, assessed upon the inhabitants and estates within that part of said Town of Alexandria by this act set off and incorporated as aforesaid.—

And be it further enacted, That Joshua Tolford Esquire, be, and he is hereby authorized & empowered to warn a meeting of the said Inhabitants by posting up advertisements in said town fourteen days previous to said meeting, and the said Joshua Tolford, shall preside in said meeting till a moderator shall be chosen for that purpose, and the annual town meeting in said town of Danbury, shall be holden on the second Tuesday of March annually.—

[CHAPTER 7.]

State of }
New Hampshire. }

AN ACT AUTHORIZING THE COLLECTION OF TAXES IN KEARSARGE GORE—

[Approved June 18, 1795. Original Acts, vol. 14, p. 115; recorded Acts, vol. 9, p. 148.]

Whereas it hath been made to appear to the General Court, that two hundred Dollars and ninety six cents, State and County taxes, have been laid on Kearsarge Gore from the year one thousand seven hundred and eighty four to the year one thousand seven hundred and ninety two inclusive, and by reason that said Gore was not properly organized, those taxes could not in the ordinary course of the law, be collected— Therefore—

Be it enacted by the Senate and House of Representatives in General Court convened, That the Select men of said Kearsarge Gore, for the present year, be and they are hereby authorized and

directed to assess the nonresident and resident owners of lands in said Gore in one tax bill the above sum of two hundred dollars and ninety six cents, which tax shall be laid on the lands of all the owners thereof without regard to the polls and personal estates of the inhabitants; and cause the same to be collected and paid into the State and County Treasurys by the first day of June next—and all concerned in assessing, collecting and paying said taxes shall be liable and accountable in the same way and manner as in common and ordinary cases—

And be it further enacted, that the Treasurer of the State is hereby directed to receive ninety three dollars and sixty one cents in specie in lieu of two hundred sixty seven dollars and forty three cents in certificates and indents due to the State from said Gore, and to stay his extents against them untill the first day of June next—

[CHAPTER 8.]

State of }
New Hampshire. }

AN ACT GRANTING A TAX TO ERECT A HOUSE FOR PUBLIC WORSHIP IN SUTTON, IN THE COUNTY OF HILLSBOROUGH.

[Approved June 18, 1795. Original Acts, vol. 14, p. 116; recorded Acts, vol. 9, p. 150.]

Be it enacted by the Senate and House of Representatives in General Court convened that the Selectmen of said Sutton for the time being be, and they hereby are authorized, and empowered to assess and levy a tax of three cents per acre on all the lands in said Sutton owned by residents or nonresidents, (excepting such lands as by the charter of the said Town were reserved for public uses & excepting the eighteen shares reserved by the Masonian Proprietors,) for the sole purpose of erecting a House for public worship, which shall be open to all denominations of Christians in said town, as well as for other public uses—and the said Selectmen are hereby empowered to assess and collect the same from the owners of said land in the same manner as State taxes are assessed and collected, following the same directions in making distress upon the inhabitants, or selling the lands of non-residents, who may be delinquent in paying their taxes, as the law points out with regard to State taxes; and all distresses made upon the Inhabitants, or sales of land, of non-residents who may be delinquent in paying their proportion of the tax aforesaid, shall be of equal validity as distresses or sales made for delinquency in the payment of State taxes.

And be it further enacted that the Selectmen of said town of Sutton be and they are hereby authorized and empowered to direct and

superintend the expenditure of the monies which may be raised by the tax aforesaid, for the sole purpose aforesaid; and the collector of the same is hereby required to pay the said Selectmen, the sums which by his warrant from said selectmen, he may, be ordered to collect according to the times which said selectmen shall in their warrant appoint. And the said Selectmen for the time being shall give bond with sufficient sureties in a reasonable sum to the Inhabitants of said Sutton, faithfully to direct and superintend the expenditure of said monies for the sole purpose aforesaid, according to the votes of the said Inhabitants at any legal meeting or meetings, and to render an account upon demand to the said Inhabitants of all expenditures of said monies—which said bond shall be lodged in the hands of the Town Clerk for the time being.

Provided nevertheless that no sales shall be made of any of the non-resident lands for the payment of the aforesaid taxes within one year next after the passing of this act.—

[CHAPTER 9.]

State of }
New Hampshire. }

AN ACT TO EMPOWER THE ADMINISTRATORS OF THE ESTATE OF NATH^L FOLSOM TO DISPOSE OF PART OF SAID ESTATE FOR THE PURPOSES THEREIN MENTIONED.—

[Approved June 18, 1795. Original Acts, vol. 14, p. 117; recorded Acts, vol. 9, p. 154.]

Whereas upon a petition in behalf of the heirs at Law of the Honorable Nath^l Folsom Esq^r Late of Exeter Dec^d, it hath been made to appear, that the Interest of said heirs would be much advanc'd by making sale of a certain part of the Estate of said deceased, hereafter Mentioned, and which cannot be done without the Aid of the Legislature, by Reason that some of said Heirs are minors; And praying that the administrators of said Estate may be Authorised and Empowerd to dispose of such part for the benefit of said heirs—

Therefore be it Enacted by the Senate And house of Representatives in General Court conveyaned, that the said Administrators be, And they hereby are fully Authorised And Empower'd, at a publick Vendue for that purpose to be holden, to make sale of all the Right And Interest of the said Nathaniel, at the time of his Decease, in and unto a certain wharfe Lot, and the Moiety of two Mill privileges, Situate And Being in said Exeter And Also, of about four acres of Land situate in Epping And One fifty Acre Lot, & one half of an hundred acre Lot of Land Lying in Sandwich, for the use of the heirs aforesaid, And the Administrators aforesaid are hereby empowerd to make and Execute good and Valid Deeds in Law, of

such Estate as shall be sold as aforesaid, to the purchaser or purchasers, his or their heirs & Assigns

And be it Further enacted, That previous to such Sale as aforesaid, the said administrators shall give good & Sufficient Caution in the probate office for the County of Rockingham, to the acceptance of the Judge of Said court, Among Other things to give timely Notice of the time & place of sale, And to Render their Acco^t in said probate office, of their proceedings under this Act, And the proceeds which shall Arise from Said Sale or sales—

[CHAPTER 10.]

State of }
New Hampshire. }

AN ACT TO AUTHORIZE AND EMPOWER DEBORAH SHACKFORD TO LEASE CERTAIN LANDS OF JOSIAH SHACKFORD HER HUSBAND WHO HAS BEEN LONG ABSENT AND TO COLLECT HIS DEBTS FOR HER SUPPORT.—

[Approved June 18, 1795. Original Acts, vol. 14, p. 118; recorded Acts, vol. 9, p. 157.]

Whereas Deborah Shackford the wife of Josiah Shackford late of Portsmouth has petitioned the General Court, representing that her said husband has been long absent in a disordered, deranged State of mind, and that the supplies and resources left by him for her subsistence are exhausted and have failed; that he has certain Lands, and debts due to him which she cannot recover for want of a power, praying that she may be authorized to sell and convey fifty acres of land being a half lot in Rochester in the County of Strafford, and the half of a house-lot on Buck street in Portsmouth, both belonging to her said husband, and which came to him from his grandfather Col^o Downing deceased, and also that she may be empowered to collect her said husband's Debts for her necessary support. And whereas the facts set forth in her petition appear to be true, and the prayer thereof in part reasonable, Therefore,

Be it enacted by the Senate and house of Representatives in General Court convened, That the said Deborah Shackford for the proper and necessary purpose of her comfortable support be and she is hereby fully empowered, authorized and enabled to sue for, commence, recover and receive any and all debts due to her said Husband, and to that end, in his name to act, transact and appear as fully to all intents as any person might or could do in the ordinary course of law, by virtue of a power to recover and receive Debts. And she is hereby further empowered as his Attorney to take possession of, cultivate, improve and lease at any one time for a term not exceeding three years any real estate owned by said Josiah and to commence and prosecute all proper actions for the same.—

[CHAPTER 11.]

State of }
New Hampshire. }

AN ACT FOR TAXING LAND IN THE TOWN OF WENDELL.—

[Approved June 18, 1795. Original Acts, vol. 14, p. 119; recorded Acts, vol. 9, p. 159.]

Whereas a petition has been presented by Edward Hall in behalf of the Inhabitants of the Town of Wendell in the County of Cheshire shewing the necessity of laying a tax upon all lands in said Town, for the purpose of repairing highways &c and praying that the Selectmen of said Town might be empowered to levy a tax of one penny two farthings per acre on all lands in said Town for four years, for the sole purpose of making & mending highways and building bridges in said town; Which petition and the prayer thereof appearing, in part, reasonable,

Therefore,

Be it enacted by the Senate and house of Representatives in General Court convened, That the Selectmen of said Town for the time being be and they hereby are empowered to assess levy and collect a tax of three Cents per acre on each and every acre of land in said Wendell for the term of one year only, and to apply said taxes, when raised, to the purpose of making and repairing roads and bridges in said Town.

And be it further enacted, That said Selectmen who shall assess the said taxes mentioned in this Act, are hereby empowered to levy and collect the same with incidental charges from the lands of any delinquent owner or owners, by sale of such part or parts thereof as shall be sufficient to discharge the same after giving six weeks notice thereof, and also of the time and place of such intended sale, in the New Hampshire Gazette. And the Collectors of such taxes are hereby authorized to make good and valid conveyances of such lands, so sold, saving the same time for the redemption thereof as non-resident proprietors are by law intitled to.—

And be it further enacted, That the monies so raised in Wendell aforesaid for the aforesaid purposes by the Selectmen thereof shall be expended in manner following (*viz^t*) one half thereof shall be applied to the purpose of mending and repairing the north road in said town that leads from Croydon to Newlondon, and that Thomas Burpee of said Newlondon lay out the said Money on the said north road and account for the same with the Selectmen, & the remainder shall be used and applied to the purposes herein mentioned according to the discretion of the Selectmen aforesaid. They giving Bond to the Clerk of the Court of Common pleas in said County for the due appropriation & application of all monies and taxes that shall be assessed levied & collected in virtue of this act.—

Provided nevertheless that the non-resident owners or proprietors of land in said town shall have liberty to pay their proportion of the assessments aforesaid in work to be done on said Roads & bridges between the first Day of May and the twentieth Day of October; for which purpose they shall have two months notice given them by the Selectmen of said town either personally or by advertisement in the New Hampshire Gazette previous to the time in which said work is to be done. And that no higher price shall be charged for such labor than seven Cents for every hour's actual labor performed by an able bodied man finding his own Diet.—

[CHAPTER 12.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER CONNECTICUT RIVER, IN HAVERHILL, AT OR NEAR CHAMBERLIN'S FERRY SO CALLED, AND FOR SUPPORTING THE SAME—

[Approved June 18, 1795. Original Acts, vol. 14, p. 120; recorded Acts, vol. 9, p. 164. See additional act of July 1, 1834, id., vol. 30, p. 278.]

Whereas Benjamin Chamberlin and others have petitioned the General Court for liberty to build said bridge, and after a full hearing of the matter, and a report of a Committee upon the subject, it appears, that a bridge at said place will be of great public utility—

Therefore

Be it Enacted by the Senate and House of Representatives in General Court convened that Benjamin Chamberlin, Moses Dow, Ezekiel Ladd, Thomas Johnson, William Wallace and John Montgomery and others their associates, who are, or shall become proprietors in said bridge, so long as they continue to be proprietors thereof, shall be a Corporation and body politic for the purposes aforesaid, under the name of, The Proprietors of Haverhill Bridge—and by that name may sue and be sued to final Judgment and execution and do and suffer all matters, Acts and things, which bodies corporate may or ought to do or suffer—And said Corporation shall and may have and use a common Seal, and the same may break, renew, and alter at pleasure—

And be it further enacted that the said Moses Dow Esquire—shall call a meeting of said Proprietors by giving notice thereof in the Eagle or Dartmouth Centinel, which meeting may be holden at any suitable time and place, giving three weeks previous notice—And the proprietors by a vote of the majority of those present or represented at said meeting, accounting and allowing one vote to each share, in all cases—shall choose a Clerk, who shall be sworn

to the faithful discharge of said office— and shall also agree upon a method of calling meetings in future— And at the same time, or at any subsequent meeting may elect such officers, and make and establish such rules and bye-laws as to them shall seem meet and convenient for the regulation and government of said Corporation and for carrying into effect the purpose aforesaid, and for collecting the toll herein after granted and established: And the same rules and bye-laws may cause to be executed, and may annex penalties to the breach thereof not exceeding ten dollars for any one offence, Provided said rules and bye-laws are not repugnant to the Constitution and laws of this State—and all representations at any meeting of said Corporation, shall be proved by writing signed by the person to be represented, which shall be filed with the Clerk— And this act and all rules bye-laws, regulations and proceedings of said Corporation, shall be fairly & truly recorded by the Clerk in a book or books provided and kept for that purpose—

And be it further enacted, that the proprietors aforesaid be, and hereby are permitted, authorized and allowed to erect and build a bridge over said River Connecticut at or near the place where said Chamberlain usually tends ferry, and said proprietors are hereby empowered & authorized to purchase any lands adjoining said bridge, and to hold the same in fee simple, and the same to sell and dispose of at pleasure, And the share or shares of any of said proprietors may be transferred by deed duly executed acknowledged and recorded by the Clerk of said Corporation on their records.

And be it further enacted that for the purpose of reimbursing said Corporation the money by them expended in building, repairing and supporting said bridge, a toll be and hereby is granted and established for the benefit of said Corporation, according to the rates following—Namely—

For each foot passenger.....	1 Cent
For each horse and rider.....	3 Cents
For each horse & chaise, Chair, Sulkey or other riding carriage drawn by one horse only	}10 Cents
For each riding sleigh drawn by one horse	
For each riding sleigh drawn by more than one horse	}10 Cents
For each Coach, Chariot, phaeton, or other four-wheeled carriage for passengers drawn by more than one horse	
For each Curricule.....	15 Cents
For each Cart or other carriage of burden drawn by two beasts	}12 Cents
For every additional beast.....	
	2 Cents

For each horse or neat Creature exclusive of those rode on, or, in carriage	}	2 Cents
For sheep and Swine each.....		$\frac{1}{2}$ a Cent

And to each team, one person and no more shall be allowed as a driver to pass free of toll—

And be it further enacted, that the exclusive right of building (and maintaining) a bridge or bridges over said River any where between the point of the Little Ox Bow so called and the southwesterly corner of the lower meadow lot of Ezekiel Ladd Esq— in Oliverian Meadow so called, a little above the mouth of Oliverian brook be and hereby is granted to said Corporation and the several members thereof, their several respective heirs and assigns—

And be it further enacted, that if any tax or assessment made by said Corporation for compleating, repairing and supporting said bridge, on the several shares, shall be unpaid at the time limited for the payment of the same, they may proceed to sell such delinquent's share at public auction, as said Corporation shall agree and determine; And if any overplus shall remain after paying such tax or assessment and charges it shall be returned to the delinquent proprietor—

And be it further enacted, that if the aforesaid bridge shall not be compleated fit for travelling within four years from the passing hereof, this Act shall be void.—

Provided that nothing herein contained shall affect or be construed to affect or controul any grants or Charters of ferries within the limits aforesaid

[CHAPTER 13.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT INTITLED, "AN ACT FOR REGULATING THE MILITIA WITHIN THIS STATE," PASSED DECEMBER 28TH 1792.—

[Approved June 18, 1795. Original Acts, vol. 14, p. 121; recorded Acts, vol. 9, p. 170. Laws, 1797 ed., p. 427; id., 1805 ed., p. 261. See additional act of December 26, 1795, Laws, 1797 ed., p. 429; act of December 27, 1798, id., 1805 ed., p. 264; act of December 10, 1800, id., p. 265; act of December 30, 1803, id., p. 265.]

Be it enacted by the Senate and house of Representatives in General Court, convened, that every free, able bodied, white male citizen of this State resident therein who is or shall be of the age of sixteen years, and under forty years of age, under such exceptions as are made in this act, shall be enrolled in the Militia, and shall in all other respects be considered as liable to the duties of the Militia, in the same way and manner, as those of the age of eighteen years and

upwards. And every citizen enrolled and liable as aforesaid; shall, while under the age of twenty one years be exempt from a poll tax.—

And be it further enacted that no non-commissioned officer or private soldier shall upon any muster day, or the evening of the same day discharge and fire off a musquet, or gun in any public road, or near thereto, or in, or near to any house, or on, or near to the place of parade, unless leave therefor be first had from a commissioned officer, on penalty of forfeiting for each offence so committed, the sum of one dollar, to be recovered by action before any Justice of the peace within the County, where such offence shall be committed, by any person who will sue therefor, with costs of prosecution.

And be it further enacted, that the warrant of distress to be issued in case of unnecessary neglect to appear equipped on muster days, shall be in the following form; the blanks therein to be filled up, as the circumstances of the case may require.

State of Newhampshire.

(L S) To.....first Sergeant of.....
company in the.....Regiment of the Militia of said State
greeting.

Whereas.....of.....in the County
of.....a private soldier, enrolled according to law
and liable to do duty in said Company was duly notified and ordered
to appear on the parade near to.....in.....
on the.....day of.....Anno Domini One
thousand seven hundred and ninety.....at the hour of.....
of the clock in the.....noon equipped with arms, ammuniton,
and accoutrements according to law, for inspection and military
exercises, and there to attend until further order, being the time and
place for mustering said Company, but the said.....
did unnecessarily neglect to attend equipped, as aforesaid, agreeably
to said orders and notice; and whereas more than fifteen days have
elapsed from said day of muster, and the said.....hath
neglected to make excuse to the commanding Officer of said Com-
pany, for non-appearance as aforesaid, whereby the said.....
hath incurred the penalty, and become liable by law to pay a fine of
one dollar, and fifty cents to be disposed of according to the law in
said case, made and provided.—

You are therefore in the name of the State of Newhampshire
hereby required, by distress and sale of the goods and chattels of
the said.....to levy and collect the aforesaid sum
of one dollar and fifty cents, together with forty cents for this pre-
cept, and thereof also to satisfy yourself for your own fees; and for
want of such goods and chattels whereon to make distress, you are
hereby commanded to take body of the said.....and
him commit unto the Goal in.....in said County;
and the keeper of said Goal is accordingly commanded to receive

the said.....and him detain in his custody within said Goal, until he pay the aforesaid sums, with all lawful fees, or otherwise be discharged by due course of law; and you are in all respects to observe and follow the rules, and directions of the laws respecting the premises—

And you are hereby directed to make return of this precept with your doings thereon, unto me the undersigned, or the commanding Officer of said Company for the time being, within forty days from the date hereof—Given under my hand and seal at..... in said County this.....day of.....Annoque Domini one thousand seven hundred and ninety—

{ Commanding Officer
of said Company

[CHAPTER 14.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT PASSED AT THE LAST SESSION OF THE GENERAL COURT INTITLED, "AN ACT TO RESTORE WILLIAM GREGG ESQ^r TO HIS LAW IN A CERTAIN ACTION."—

[Approved June 18, 1795. Original Acts, vol. 14, p. 122; recorded Acts, vol. 9, p. 176. The act referred to is dated January 14, 1795, recorded Acts, vol. 9, p. 97.]

Whereas, by an act passed at the last Session of the General Court, William Gregg of Londonderry in the County of Rockingham Esq^r, was empowered to review a certain action originally commenced against him by John Anderson of the same Londonderry Wheelwright, and it hath been made to appear that the time limited by said act, for the said Gregg to reenter his Action at the Court of Common pleas in said County was too short for that purpose.—

Therefore be it enacted by the Senate and house of Representatives in General Court convened, That the said Gregg be and he hereby is authorized to reenter his said action at the next Court of Common pleas in the County of Rockingham aforesaid, under the restrictions mentioned in said act; and that the same proceedings may be had and judgment rendered in said action, in the same way and manner, as tho' the same had been entered at the time prescribed in the aforesaid Act; any law, usage or custom to the contrary notwithstanding—

[ORDERS, RESOLVES AND VOTES OF A LEGISLATIVE NATURE PASSED
DURING THIS SESSION.]

1795, June 18.

Resolved that for all taxes heretofore apportioned to Littleton aforesaid agreeably to the Several Laws of the State and now remaining unpaid, the Select men or Assessors for the time being shall make out in one or Several Sums the whole amount of the Several years taxes prior to the year 1794. now due both state and County including said Littletons proportion of all taxes heretofore apportioned to Apthorp in said State and now remaining unpaid first reducing the paper taxes to Seven shillings specie for every twenty shillings paper and may appoint a Collector thereof who shall have the Same power as any other Collectors by Law have — And the said Collectors at any time before the first Wednesday of December next may be returned to the Treasurers and in case such Collectors are not returned the Several Treasurers shall have the same power of assessing in one Sum the said Arrears as the Select men & Assessors have by the Act intituled “An Act to establish an equitable method of making rates and taxes and collecting such as are now due from or may hereafter be Assessed on Such Towns and places as are or may be incapable of choosing town officers passed Feb^r. 22^d 1794— And the respective treasurers and Sheriffs are hereby as fully empowered with respect to Assessing and collecting said Arrears as by said Act intituled as aforesaid are given in other cases — And Resolved that all extents against said Littleton be staid until the rising of the next Session of the General Court—

[House Journal, 1794-99, p. 153. Senate Journal, 1791-6, p. 389.]

1795, June 18.

The Committee to consider and report what method they may judge most proper for the appointment of days of Thanksgiving and of Fasting in this state in future Reported that his Excellency the Governor with advice of Council appoint the days of Thanksgiving and Fasting— which report being read and considered voted that it be received and accepted.

[House Journal, 1794-99, p. 156. Senate Journal, 1791-6, p. 392.]

[*Second Session, Held at Concord, December 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 1795; January 1, 1796.*]

[CHAPTER 1.]

State of }
New Hampshire. }

AN ACT TO ANNEX A CERTAIN GORE OF LAND WITH THE INHABITANTS TO THE TOWN OF DERRYFIELD.—

[Approved December 4, 1795. Original Acts, vol. 14, p. 123; recorded Acts, vol. 9, p. 178.]

Whereas a petition has been presented by a number of the inhabitants of Derryfield and a Gore of land adjoining said town representing that there is a gore or tract of land lying between Chester and Derryfield, which land was formerly supposed to belong to said Derryfield; but on ascertaining the lines that it appeared otherwise, and praying that said Gore might be annexed to said Derryfield together with the Inhabitants living on the same

Therefore,

Be it enacted by the Senate and house of Representatives in General Court convened, That the Gore of land contained within the following boundaries (*viz'*) Beginning at the north west corner of Derryfield aforesaid, thence running Eastwardly to Chester line, thence westwardly on said Chester line to Merrimac River, thence down said river to the bounds first mentioned, together with the inhabitants living within said bounds, Be and they hereby are annexed to & made a part of said Town of Derryfield, as fully and amply to all intents and purposes, as tho' they had been contained in and comprehended by the original grant, charter or incorporation of said Derryfield, and the inhabitants and Estates therein contained shall be considered liable in all future assessments for all legal taxes of every description as fully and amply and in the same way and manner as though they had been comprehended and contained within said original grant or incorporation, any usage or custom to the contrary notwithstanding.—

[CHAPTER 2.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE A CERTAIN TRACT OF LAND IN THE COUNTY OF STRAFFORD INTO A TOWN, AND TO INVEST THE INHABITANTS THEREOF WITH ALL SUCH PRIVILEGES AND IMMUNITIES AS OTHER TOWNS IN THIS STATE, HOLD AND ENJOY.—

[Approved December 17, 1795. Original Acts, vol. 14, p. 124; recorded Acts, vol. 9, p. 180.]

Whereas a petition signed by a number of the inhabitants of a certain tract of land in the County of Strafford has been preferred setting forth, that they labor under many inconveniencies in their present situation, being unincorporated, and praying that they might be incorporated and made a body politic, with all the corporate powers & privileges by law vested in other Towns—

Therefore

Be it enacted by the Senate and house of Representatives in General Court, convened, That all the lands and inhabitants contained within the following limits (*viz*^t) beginning at the South west corner bound of Wolfborough, thence running north easterly on Wolfborough line to the north west corner of said Wolfborough, thence north seventeen degrees west, to the north east corner of Moultonborough, thence south westerly on Moultonborough line to Winnepeseokee pond, thence running by said Winnepeseokee pond south easterly to the bounds first mentioned, Be, and the same are hereby incorporated into a Town by the name of Tuftonborough, and the inhabitants who reside and shall hereafter reside within the beforementioned boundaries, are made and constituted a body politic and corporate, and invested with all the powers, privileges and immunities which towns within this State by Law are intitled to enjoy, to remain and have continuance and Succession forever.—

And be it further enacted, That Nathan Hoit Esquire, be and he is hereby authorized and empowered to call a meeting of said inhabitants for the purpose of choosing all necessary town officers, who shall preside therein until a moderator shall be chosen to govern said Meeting, which shall be warned by posting up notice therefor, at the house of Woodbury Langdon Esq^r & of Mr Phinehas Graves in said Tuftonborough, fourteen days prior to the Day of holding the same. And the annual meetings for the choice of town officers, shall be holden on the second Monday of March annually forever.—

[CHAPTER 3.]

State of }
New Hampshire. }

AN ACT TO ALTER THE TIME OF HOLDING THE ANNUAL MEETING IN THE TOWN OF DORCHESTER FROM THE LAST MONDAY IN MARCH TO THE FIRST TUESDAY IN SAID MONTH FOREVER.—

[Approved December 19, 1795. Original Acts, vol. 14, p. 125; recorded Acts, vol. 9, p. 186.]

A petition having been presented by Joseph Burley agent for the town of Dorchester in the County of Grafton in said State, setting forth, that sundry inconveniences arise from holding the annual town meetings on the last Mondays in March, and praying that the annual Town meetings in said Town might in future be holden on the first Tuesday of March, which appearing reasonable.

Be it enacted by the Senate and house of Representatives in General Court convened, That the annual town Meeting in said Town of Dorchester shall forever hereafter be holden on the first Tuesday of March annually, any law, usage or custom, to the contrary notwithstanding.—

[CHAPTER 4.]

State of }
New Hampshire. }

AN ACT TO ENABLE STEPHEN WEBSTER THE THIRD OF ATKINSON IN THE COUNTY OF ROCKINGHAM AND STATE OF NEW HAMPSHIRE, TO ASSUME AND USE THE NAME OF PEABODY IN ADDITION TO AND IMMEDIATELY FOLLOWING HIS CHRISTIAN NAME STEPHEN—

[Approved December 19, 1795. Original Acts, vol. 14, p. 126; recorded Acts, vol. 9, p. 188.]

Whereas the said Stephen Webster hath Petitioned this Court setting forth, that he is subjected to many inconveniencies in the course of his business, by reason that several persons in the Town of Atkinson and many others in the vicinity sustain the same name with himself and praying this Court to provide him a Remedy in that behalf, which Prayer appearing reasonable—

Be it therefore enacted by the Senate and House of Representatives in General Court convened, that from and after the Thirty first Day of December of this present Year, the said Stephen Webster be, and he is hereby enabled and empowered to assume and take on himself the name of Peabody in addition to, and immediately following his name of Stephen, and that by the name and Surname

of Stephen Peabody Webster and by no other names, after the said Thirty first Day of December; he be named and called—And by the said names of Stephen Peabody Webster after the said Thirty first Day of December he is hereby fully empowered and enabled to act, transact and execute business; and all matters and things that shall be done and executed by, for or against him, after the said Thirty first Day of December, by the names of Stephen Peabody Webster, shall be, and are hereby declared good and valid, any Law, Usage or Custom to the contrary notwithstanding—

[CHAPTER 5.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE TOWNSHIP OF STUART IN THE
COUNTY OF GRAFTON IN THIS STATE—

[Approved December 22, 1795. Original Acts, vol. 14, p. 127; recorded Acts, vol. 9, p. 183.]

Whereas Daniel Brainard Junier and others inhabitants of a place caled Stuart in the County of Grafton and State of New-hampshire have petitioned the General Court praying for an Act to incorporate said Township of Stuart, which prayer appearing reasonable.

Be it enacted by the Senate and House of Representatives in General Court convened. That the said Township of Stuart, by the meets and bounds mentioned in the Charter thereof. Be and hereby is incorporated into a Town by the name of Stuart. And the inhabitants thereof, who now do and hereafter may reside therein. Be and hereby are vested with all the powers, priviledges and immunities to which they would have been entitled had there been an incorporation written in the Charter of said Township.

And Daniel Brainard Junier Esquier is hereby appointed and authorized to warn and preside in the first meeting of said Stuart to be holden some time in the month of March next, giving notice of the time and place, as by law Selectmen of incorporated Towns are required, and shall preside therein until a moderator be chosen. And the Annual meeting in said Stuart shall, forever afterward, be holden on the second Tuesday of March Annually.

[CHAPTER 6.]

State of }
New Hampshire. -}

AN ACT TO ABATE PART OF THE INTEREST OF A TAX FOR DEFICIENCY OF SOLDIERS ASSESSED AGAINST CARDIGAN, AND TO AUTHORIZE THE SELECTMEN OF ORANGE, TO ASSESS AND COLLECT THE REMAINDER OF SAID TAX.

[Approved December 23, 1795. Original Acts, vol. 14, p. 128; recorded Acts, vol. 9, p. 190.]

Be it enacted by the Senate and House of Representatives in General Court convened. That thirty pounds seven shillings and six pence, late lawful money, of the interest of a Soldier Tax charged in Certificates, for deficiency of Soldiers, against the Town of Cardigan, which Town hath since, been Incorporated by the name of Orange. Be and hereby is abated.

And be it further enacted, That the Selectmen of said Orange, for the time being, Be and hereby are impowered and directed, to Assess upon all the lands in said Town, accounting them as wild lands, the remainder of said Soldier Tax and the interest, and direct the collection thereof in the same manner as by law non-resident State Taxes are to be collected, which Tax & interest being now payable in Certificates, may be paid in Silver and Gold at the rate of one Dollar and seventeen cents for each twenty shillings of said Certificate Tax and interest.

And the Treasurer of this State, and all concerned are to take notice hereof and govern themselves accordingly.

[CHAPTER 7.]

State of }
New Hampshire. -}

AN ACT TO AUTHORIZE THE SUPERIOR COURT TO EMPOWER GUARDIANS TO SELL THE REAL ESTATE OF THEIR WARDS.

[Approved December 24, 1795. Original Acts, vol. 14, 129; recorded Acts, vol. 9, p. 199. Laws, 1797 ed., p. 265; id., 1805 ed., p. 180; id., 1815 ed., p. 217. Repealed July 2, 1822, id., 1824 ed., p. 171.]

Be it enacted by the Senate and House of Representatives in General Court convened, that the Superior Court of said State be and hereby is authorized to empower the Guardian of any Minor, Ideot, Lunatic or distracted person to sell and convey the real Estate of his Ward whenever the Sale thereof shall be necessary to the support, or conducive to the interest, of his said Ward—Provided that a Petition for that purpose shall be entered by such Guardian at the

said Court whilst sitting in the County where said real Estate shall be— and no Judgment shall be rendered on said Petition before there shall be one Continuance thereof, and public Notice of the same given by said Court to all persons concerned—that such Guardian shall be under Oath (which Oath shall be administered by the Clerk of said Court, that he will sell said Estate in such a Manner as in his opinion shall be most beneficial to his Ward. And if the said Estate shall be sold at public Auction, the Sale thereof shall be in the same County and at some public place on or near the premises.

And be it further enacted that every Judge of Probate in said State, whenever he shall appoint a Guardian to any Minor, Idiot, Lunatic or distracted person, shall take of said Guardian sufficient caution to account with him for all the profits which shall arise from the Sale of real Estate, in the same manner as Guardians are now holden by Law to account with him for personal Estate. And that no Guardian shall sell any real Estate by Virtue of this Act until such caution be given.—

[CHAPTER 8.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE AN ACADEMY IN SALISBURY IN THE COUNTY OF HILLSBOROUGH IN THIS STATE.—

[Approved December 24, 1795. Original Acts, vol. 14, p. 130; recorded Acts, vol. 9, p. 201.]

Whereas Jonathan Searle & others have preferred a petition to the General Court setting forth that they have associated for the purpose of erecting and supporting an Academy in said Salisbury—that their design has received the approbation of a majority of the inhabitants of said town—and that it is their wish that the Hon^{ble} Timothy Walker & Abiel Foster Esquires Rev. Jonathan Searle, & Elias Smith, and Luke Wilder may be constituted a body politic to carry their said design into execution—and whereas the Constitution of this State makes it the duty of the Legislators and magistrates at all times “to cherish the interests of literature and the sciences”—and this Legislature, being fully sensible of the many great advantages accruing to mankind in an enlightened age by means of a due encouragement of schools, academies, and seminaries of learning and piety, and being disposed as far as in them lies to promote the same

Therefore Be it enacted by the Senate and House of Representatives in General Court convened, that there be and hereby is established at Salisbury in the county of Hillsborough in this State an Academy by the name of The Salisbury Academy—and that the

end and design of said Institution is & shall be to promote religion, virtue, and literature; and more especially for teaching and instructing youth in the english, latin, & greek languages— in writing— music and the art of speaking— in geography, logic, mathematics, history, & agriculture: & such other branches of science as opportunity may permit, & the trustees herein after mentioned shall order & direct.

And be it further enacted That the Hon^{ble} Timothy Walker & Abiel Foster Esquires, the Rev. Jonathan Searle & Elias Smith, and Luke Wilder, be and they are hereby appointed and constituted trustees and overseers of said Academy by the name of The Trustees of Salisbury Academy: and they are hereby erected and incorporated into a body politic; & they and their successors in said office shall be and continue a body politic and corporate: and by the name of The Trustees of Salisbury Academy have continuance, and duration forever, under the provisos hereafter mentioned.

And be it further enacted by the authority aforesaid That the said Trustees shall have one common seal for their use, which they may break, change, or renew at pleasure— and they may sue and be sued, prosecute and defend in all actions real personal, & mixed, and the same pursue to final Judgment & Execution, settlement & full satisfaction, as other like corporations may can or ought to do.—

And be it further enacted by the authority aforesaid That the said Trustees and the longest livers or survivors of them and their successors, elected & chosen as hereafter provided, shall be the true & sole visitors trustees and governors of said academy in perpetual succession forever, with full power and authority from time to time and at all times to elect such instructors officers & servants of said academy as to them and their successors may seem most fit & convenient; & in case of the death, resignation, or removal of either or any of the members of said body politic, at any time hereafter, the remaining members thereof may, at any legal meeting, elect & choose by ballot such & so many other reputable person or persons for trustee or trustees of said academy, as to make up & complete the number of five persons.

And be it further enacted by the authority aforesaid that said corporation and body politic shall have power & authority at any time to make such rules orders & by-laws for the good government of said Academy as they may find necessary provided they be not repugnant to the constitution and laws of this State or of the United States: All which rules, orders, & by-laws shall be observed by the instructors teachers and other officers of said Academy, & the Students, & servants thereof upon the penalties therein mentioned & contained— And the said corporation are hereby authorized from time to time and at all times to supercede or remove any member of said corporation or any teacher, instructor, officer, student, or servant thereof as occasion may require, & appoint others in their room

& stead— And a majority of said corporation shall be a quorum for transacting business.

And be it further enacted by the authority aforesaid That said board of trustees and their successors in said office be & they are hereby invested, with full power and authority in law, to take receive & hold by gift grant purchase devise or otherwise agreeably to law any estate real personal or mixed, for the use benefit & emolument of said institution; and the same to sell dispose of & convey by deed or other legal mode of conveyance, or to lease rent or improve the same; and the income profits proceeds and avails thereof to lay out & dispose of to the best advantage of said institution— Provided that the net annual income of such real estate shall at no time exceed the sum of three hundred dollars; and the net annual income of estate personal & mixed shall at no time exceed the sum of three thousand dollars; provided nevertheless that the property belonging to said corporation shall be liable to taxation save the value of fifteen hundred dollars of personal estate.

And be it further enacted by the authority aforesaid That said corporation shall have the power to constitute & appoint one or more agents or attornies to act for them, & the same to supercede or remove at pleasure:— and that the preceptor and preceptors of said academy for the time being shall be exempt & free from poll taxes & military duty.

And be it further enacted by the authority aforesaid that the said corporation shall have & hold said privileges & immunities to said corporation, their successors & assigns for the use benefit & emolument of said institution & the enfranchisements herein mentioned; & agreeably to such terms conditions limitations intentions & designs of those who may hereafter become benefactors of the same, as expressed in any act, will, deed, or other instrument of conveyance to be made for that purpose.

And be it further enacted by the authority aforesaid That the Hon^{ble} Timothy Walker Esq^r be & hereby is appointed and authorized to call the first meeting of said corporation, & to preside therein: at which meeting, and at any other meeting, the said trustees & their successors may agree upon & establish a method of calling meetings, & establish modes of proceedings & manner of keeping their records.

Provided nevertheless That unless said Academy be erected & a preceptor appointed & be in readiness to receive students & carry into effect the design of the said institution within two years next after passing this act, this act shall be null & void.— And provided always and be it further enacted That the Trustees of said Academy, at the discretion & recommendation of the Select men of said Salisbury shall always admit a number not exceeding six charity scholars belonging to said town of Salisbury to the benefits of said Institution.—

[CHAPTER 9.]

State of }
New Hampshire. }

AN ACT TO ANNEX CERTAIN TRACTS OF LAND TO THE TOWN OF EATON—

[Approved December 24, 1795. Original Acts, vol. 14, p. 131; recorded Acts, vol. 9, p. 210.]

Whereas a Petition of the Inhabitants of the Town of Eaton, and Inhabitants living on certain Grants of Lands made to a number of Officers, in said State, in the County of Strafford—Viz: a Grant made to John Colwell, one to Alexander Blair, one to Joshua Martin, one to Nathaniel Martin, and one to Daniel M'Neal, of two-thousand Acres in each Grant; which several Grants lye northerly of Eaton aforesaid, praying that the said several Grants may be incorporated with the Town of Eaton and be known by the same name with said Eaton; which Prayer appearing reasonable, therefore:

Be it enacted, by the Senate, and House of Representatives in General Court convened, that the said several Grants of Land aforesaid, are hereby annexed to, and incorporated with the Town of Eaton; and the Inhabitants who now, do, or may hereafter live on the said several Grants, shall be, and are hereby entitled to all the privileges and immunities, and are subject to all matters and things, with respect to Jurisdiction, as fully to all intents and purposes, as th^o said several Grants had been incorporated originally with the Town of Eaton.—

[CHAPTER 10.]

State of }
New Hampshire. }

AN ACT TO ALTER THE TIME OF HOLDING THE ANNUAL TOWN MEETING IN THE TOWN OF WASHINGTON FROM THE THIRD MONDAY IN MARCH TO THE FIRST MONDAY IN SAID MONTH ANNUALLY.—

[Approved December 24, 1795. Original Acts, vol. 14, p. 132; recorded Acts, vol. 9, p. 212.]

A petition preferred by Azariah Faxon in behalf of the inhabitants of the Town of Washington in the County of Cheshire in said State representing that sundry inconveniencies arise to said inhabitants from holding the annual town meeting in said Washington on the third Monday in March and praying that the annual Town meetings in said town might in future be holden on the first Monday of March, which appearing reasonable.—

Be it enacted by the Senate and house of Representatives in General Court convened, That the annual Town-meeting in the said town of Washington shall forever hereafter be holden on the first Monday in March annually, any law, usage or custom to the contrary notwithstanding.—

[CHAPTER 11.]

State of }
New Hampshire. }

AN ACT ALTERING THE TIME OF HOLDING THE ANNUAL MEETING IN THE TOWN OF WENDALL FROM THE LAST WEDNESDAY OF MARCH ANNUALLY TO THE SECOND WEDNESDAY OF S^D MONTH.

[Approved December 24, 1795. Original Acts, vol. 14, p. 133; recorded Acts, vol. 9, p. 214.]

Whereas a petition hath been presented to this Court setting forth that the inhabitants of the Town of Wendall Labour under many inconveniencies by reason of their annual meeting being holden on the Last wednesday of march praying that their said annual meeting may be holden on the second wednesday of march annually, which prayer appearing reasonable.—Therefore.

Be it enacted by the Senate and house of Representatives in General Court convened that from and after the passing this act the annual meeting of the Town of Wendall which hath heretofore been holden on the Last wednesday of March shall be holden on the second wednesday of march annually, any Law useage or custom to the contrary notwithstanding.—

[CHAPTER 12.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE PROTESTANT EPISCOPAL SOCIETY IN CORNISH.—

[Approved December 24, 1795. Original Acts, vol. 14, p. 134; recorded Acts, vol. 9, p. 219.]

Whereas a Petition has been preferred to the General Court in behalf of the said Protestant Society representing that they labour under many and great inconveniencies for want of an incorporation, and praying, that said Society may be incorporated and formed into a body politic and corporate, capable of receiving and holding property, both real and personal, and to have and enjoy all the privileges and immunities belonging to a corporate body—

Therefore

Be it enacted by the Senate and House of Representatives in Gen-

eral Court convened that the said Society be and hereby is incorporated and formed into a Body politic and corporate by the name of Trinity Church with all the Privileges and Immunities necessary and incident to a religious Parish or Society, and in the Name of the Wardens for the time being of said Church may sue and be sued, prosecute and defend, in all actions real personal or mixed, and the same pursue to final Judgment and Execution, and to do and transact all and every Act and thing that any Parish or religious Society may and by law can do within this State, To Hold to the Said Society and their Successors forever—

And be it further enacted that the annual Meeting for choosing necessary and customary Parish Officers and transacting other requisite business, be holden on the Monday next following Easter Sunday forever, to be notified by the Church Wardens for the time being according to Law— And the Society is hereby empowered at any Annual Meeting to agree upon the Method of calling any other meeting that may be thought necessary—Provided always that the annual Income arising from the Endowments made and which shall be made to the said Church, shall not exceed the sum of Five hundred Dollars

[CHAPTER 13.]

State of }
New Hampshire. }

AN ACT TO EMPOWER THE INHABITANTS OF CAMPBELLS GORE, AND ALSO THE INHABITANTS OF SOCIETY LANDS TO RAISE MONEY FOR THE SUPPORT OF SCHOOLS, & FOR MAKING AND REPAIRING HIGHWAYS—

[Approved December 25, 1795. Original Acts, vol. 14, p. 135; recorded Acts, vol. 9, p. 222.]

Be it enacted by the Senate and House of Representatives in General Court convened, that the said Inhabitants of Campbells Gore, and also the Inhabitants of Society Lands be, and they hereby are authorized and empowered to assess, levy and Collect such sum or sums of money as they may judge necessary for the support of Schools and making and repairing Highways therein— to be assessed, levied and collected in the same way and manner as the Law points out for supporting Schools and making and repairing highways in places that are incorporated— any custom to the contrary notwithstanding—

And be it further enacted, that the said Inhabitants are hereby empowered to lay out, open and keep in repair any such public highway or highways in either of their respective places, as they may judge necessary to be made, in the same way and manner as incorporated Towns in this State are by law authorized to do—

[CHAPTER 14.]

State of }
New Hampshire. }

AN ACT VESTING THE RIGHT OF KEEPING A FERRY OVER A CERTAIN PART OF CONNECTICUT RIVER IN JONAS WILDER AND ISAAC BUNDY THEIR HEIRS AND ASSIGNS.—

[Approved December 25, 1795. Original Acts, vol. 14, p. 136; recorded Acts, vol. 9, p. 227.]

Whereas Jonas Wilder of Lancaster in the County of Grafton in said State, and Isaac Bundy of Guildhall in the County of Orange and State of Vermont have petitioned the General Court representing the utility in a ferry's being kept at or near a place called the Sandbow on said Connecticut River, in said County of Grafton that the inhabitants would be well accomodated therewith, that their farms are oposite each other on the banks of said River, at the aforesaid place, which renders the keeping of a ferry convenient; wherefore they prayed the exclusive right and privilege of keeping a ferry over said River any where between the mouth of Israel's river (so called) and the right of ferry granted, to Eleazer Rosbrook on said River which prayer appearing in part reasonable.

Be it enacted by the Senate and house of Representatives in General Court convened, That the exclusive right and privilege of keeping a ferry over Connecticut River any where between the mouth of Israel's River (so called) and the right of ferriage granted to Eleazer Rosbrook, be, and hereby is granted, to, and vested in the said Jonas Wilder and Isaac Bundy their heirs & assigns for the term of fifty years next after the passing of this Act, the said Jonas and Isaac for themselves and their heirs giving bond with sufficient surety in the sum of five hundred Dollars to the Clerk of the Court of Common pleas for the County of Grafton, that the said ferry shall be well kept & constantly attended, for and during the term aforesaid. Provided nevertheless that this act shall not be construed in any wise to take away the right of the General Court in granting the privilege of a bridge within the limits aforesaid within said term of fifty years.—

And be it further enacted, That if any person or persons shall for hire or reward trasport over said river within the limits aforesaid, any person, creature or thing, such person or persons so transporting shall forfeit and pay to the said Jonas Wilder & Isaac Bundy their heirs and assigns the sum of four Dollars for each and every offence so committed to be recovered by action of debt before any Court proper to try the same.—

[CHAPTER 15.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED, "AN ACT FOR REGULATING THE MILITIA WITHIN THIS STATE PASSED DEC^R 28, 1792.

[Approved December 26, 1795.. Original Acts, vol. 14, p. 137; recorded Acts, vol. 9, p. 196. Laws, 1797 ed., p. 429; id., 1805 ed., p. 262. See acts of June 19, 1793, Laws, 1797 ed., p. 426; June 18, 1795, id., p. 427; December 27, 1798, id., 1805 ed., p. 264; December 10, 1800, id., p. 265; December 30, 1803, id., p. 265.]

Be it enacted by the Senate and house of Representatives in General Court, convened, That at all times when officers of the same grade whose commissions are of equal date shall be on duty in the same corps or detachment, and whose prior pretensions to seniority cannot be ascertained by their former military commissions—the rank of such officers shall be determined agreeably to the laws already in force and not otherwise.

And be it further enacted, That at all musters of the militia, when more than one Company shall be on the parade at the same time, the officers shall be posted with their several Companies, and the companies shall take rank according to Seniority.—

And be it further enacted, that whenever any commissioned officer shall be found guilty of disobedience of orders or ungentleman-like conduct, he shall be cashiered and disqualified as the law provides, or be reprimanded in orders by the officer appointing the court-martial, as the members of said Court shall determine.—

And be it further enacted, That whenever any non-commissioned officer or Soldier shall think himself unable to perform Military duty, and shall procure a certificate certifying his disability, from the Surgeon or Surgeon's-mate of the Regiment to which he belongs to the Commanding-officer of said Company, then said non-commissioned officer or soldier, shall be considered as excused from military duty until it shall be thought by the commanding officer of said Company and the Surgeon or Surgeon's mate for the time being, that such disability is removed.—

And be it further enacted, That in all towns where there may be fire Engines, eighteen persons for each Engine shall be excused from doing duty on training or muster days, upon certificate of the Selectmen to any field Officer of the Regiment. Provided nevertheless they shall constantly be armed and equipped according to Law and shall be liable to do duty in the militia at all times when they do not belong to said Engines.—

[CHAPTER 16.]

State of }
New Hampshire. }

AN ACT TO EMPOWER JOHN DUNCAN ESQ^R, GUARDIAN OF JOSIAH DUNCAN OF LONDONDERRY IN THE COUNTY OF ROCKINGHAM IN SAID STATE, TO SELL THE REAL ESTATE OF SAID JOSIAH, FOR HIS SOLE BENEFIT.—

[Approved December 26, 1795. Original Acts, vol. 14, p. 138; recorded Acts, vol. 9, p. 216.]

Whereas John Duncan Esq^r has petitioned the General Court, representing that he is duly appointed, by the Judge of probate for the County of Rockingham, Guardian of Josiah Duncan, of Londonderry in said County, son and one of the heirs of George Duncan, late of said Londonderry Deceased, That said Josiah is now upwards of fifty years of age, and by nature totally incapable of managing his own business, being deaf, dumb and by age and sickness rendered almost blind. That the fences, buildings and improvements are daily falling into decay and ruin. That the money for which said property would sell with the interest that would legally accrue therefrom would be of much more utility to the said Josiah in the hands of his said Guardian than said property in its present Situation.

Wherefore he prayed that he might have leave to sell the same, which appearing reasonable. Therefore.

Be it enacted by the Senate and house of Representatives in General Court, convened, That the said John Duncan be and he is hereby authorized and empowered to sell at public or private sale all the real estate of the said Josiah, and to make good and valid conveyance thereof to all intents and purposes, to any person or persons who shall purchase the same.—

Provided that he the said John Duncan shall before the execution of any deed or deeds of said Estate, give bond to the Judge of probate for the County of Rockingham with good and sufficient sureties for the faithful improvement of the monies arising from the sale or sales of said real Estate for the sole benefit of said Josiah, and for his maintenance and support, for and during his natural life, and for the faithful accounting for all surplusage, if any there should be, after the decease of the said Josiah, according to the order which the said Judge may make thereon. Any law to the contrary notwithstanding.—

[CHAPTER 17.]

State of }
New Hampshire. }

AN ACT AUTHORISING THE JUSTICES OF THE SUPERIOR COURT OF JUDICATURE TO HEAR AND DETERMINE CERTAIN DEMANDS SUBSISTING BETWEEN JOSHUA ATHERTON, AND THE TRUSTEE OF THE CONFISCATED ESTATE OF ZACCHEUS CUTLER, AN ABSENTEE.

[Approved December 26, 1795. Original Acts, vol. 14, p. 139; recorded Acts, vol. 9, p. 230.]

Whereas Joshua Atherton of Amherst in the County of Hillsborough hath petitioned the General Court, setting forth, among other things, that Nahum Baldwin, now deceased, heretofore Trustee of the confiscated Estate of Zaccheus Cutler an Absentee, lodged a number of Demands in favor of said Estate, with the said Joshua to be collected in course of Law and accounted for, and that out of the monies arising from said demands, he hath paid out diverse sums; that no Settlement was ever had between the said Nahum and the said Joshua concerning the Premises and that Difficulties have hitherto prevented a Settlement with the present Trustee, which were not likely to be removed, and praying this Court to appoint some meet person or persons to hear and adjust the same, which appearing reasonable,

therefore be it enacted by the Senate and House of Representatives in General Court, convened, that the Justices of the Superior Court of Judicature be, and they are hereby authorised and empowered to hear examine into and determine the Account of the said Joshua with the Trustee of said Estate, and all Demands subsisting between the said Joshua and the said Trustee in his said Capacity, and also, a certain Action now pending in the Superior Court of Judicature, between the Trustee aforesaid and the said Joshua, and to make such Order and Determination in Equity upon the premises, as to them shall appear to be just and right, which order and Determination shall be final and conclusive.

And be it further enacted, that the said Court may and shall award Execution for the ballance which may be found as aforesaid, as in other Cases.

[CHAPTER 18.]

State of }
New Hampshire. }

AN ACT FOR TAXING LAND IN THE TOWN OF BARTLETT—

[Approved December 28, 1795. Original Acts, vol. 14, p. 140; recorded Acts, vol. 9, p. 192.]

Whereas a Petition has been presented by the Selectmen of Bartlett in the County of Grafton in behalf of the Inhabitants of said town, shewing the necessity of laying a tax upon all the lands in said town for the purpose of repairing highways &c. and praying that they might be empowered to levy a tax of Three Cents per acre on all the lands in said town for the sole purpose of making and repairing highways and Bridges in said town; which petition and the prayer thereof appearing reasonable, Therefore,

Be it Enacted by the Senate and House of Representatives in General Court convened, that the Selectmen of said town, for the time being be, and they are hereby empowered to assess, levy and collect a tax of three Cents per acre upon each and every acre of land in said Bartlett (public lands excepted) for the term of one year, & to apply said tax, when raised, to the purpose of making and repairing roads & bridges in said town—

And Be it further Enacted that said Selectmen, who shall assess the said Tax mentioned in this Act, are hereby empowered to levy & collect the same, with incidental Charges, from the lands of any delinquent owner or owners, by sale of such part or parts thereof as shall be sufficient to discharge the same, after giving eight weeks notice thereof, and also of the time and place of such intended sale in The New Hampshire Gazette. And the Collectors of such taxes are Hereby authorized to make good & valid conveyances of such lands, so sold, saving the same time for the redemption thereof, as Nonresident Proprietors are by Law entitled to.

And Be it further Enacted that the Selectmen empowered to assess said Tax shall give Bond to the Clerk of the Court of Common Pleas for said County of Grafton for the due appropriation and application of all Monies & taxes that shall be Assessed, levied & collected for the aforesaid purposes by virtue of this Act—

Provided Nevertheless, that the Nonresident Owners or Proprietors of land in said town, shall have liberty to pay their proportion of the Assessments aforesaid, in work to be done on said roads and Bridges between the first day of May and the Twentieth day of October, for which purpose they shall have two Months notice given them by the Selectmen of said Town, either personally, or by advertisement in the New Hampshire Gazette, previous to the time in

which said work is to be done; And that six Cents for every hour's actual labour shall be allowed to an able boded man, finding his own diet & no more—

[CHAPTER 19.]

State of }
New Hampshire. }

AN ACT GRANTING A TAX ON ALL LANDS IN THE TOWN OF STRATFORD IN THE COUNTY OF GRAFTON—

[Approved December 28, 1795. Original Acts, vol. 14, p. 141; recorded Acts, vol. 9, p. 224.]

Whereas a petetion has been presented by the Inhabitants of the town of Stratford shewing the necessity of laying a tax upon all Lands in said town for the purpose of making & Repairing Roads and bridges in said Town and praying a tax of three pence per acre upon all lands might be granted for the aforesaid purposes to be assessed & raised in two several taxes—Viz Two pence p^r acre on all Lands in said town for the year ensuing and one penny per acre to be assessed & Raised on all lands in said town the year next after the year ensuing. Which prayer appearing in part Reasonable—
Therefore

Be it Enacted by the Senate and House of Representatives in General Court Convened that thare be and hereby is Granted a tax of four cents per acre for one year only to be assessed levied & collected on all the Lands in the Town of stratford in the county of Grafton (publick rights excepted) For the purpose of making & Repairing the Road and Bridges thareon Laid out by the state through said Stratford to Piercy. And also the Road and Bridges thareon Called the River Road running northerly through said Town—

And be it further Enacted that the aforesaid tax shall be assessed levied and colected on the lands of residents and nonresident proprietors and owners in the same way and manner which is by Law prescribed for assessing Levying and Collecting state and County taxes except the leaving the List with the collector of nonresident taxes—

And be it further Enacted that Isaac Johnson James Brown and Joseph Holbrook all of said Stratford Gentlemen; or any two of them be and they hereby are appointed a Committee and authorised to receive of the Selectmen whatever money may be colected by Virtue of this Act and to apply the same and also to apply the labour which any proprietor may chuse to pay to the purpose herein mentioned they giving bonds to the Clark of the Court of Common

pleas for the County of Grafton for the faithfull performance of thare trust

Provided nevertheless that the owners or proprietors of Lands in said town shall have liberty to pay their proportion of the assessments aforesaid in work to be done under the direction of said Committee on said Roads and bridges between the first Day of April and the twentyeth Day of august for which purpose they shall have two months notice given them by the Select men of said town either personally or by advertisement in the New hampshire Gazettee previous to the time in which said work is to be done and that six cents shall be allowed for every hours actual labour performed by an able bodied man finding his own diet and no more

[CHAPTER 20.]

State of }
New Hampshire. }

AN ACT FOR TAXING LAND IN THE TOWN OF GOSHEN

[Approved December 28, 1795. Original Acts, vol. 14, p. 142; recorded Acts, vol. 9, p. 233.]

Whereas a petition has been presented by the Selectmen of Goshen in the County of Cheshire in said State, shewing the necessity of laying a tax upon all Lands in said Town (public rights excepted) for the purpose of making and repairing roads and bridges in said Town, and praying that a tax upon all Lands as aforesaid of four Cents per acre might be granted for the aforesaid purposes—

Therefore,

Be it enacted by the Senate and house of Representatives in General Court, convened, That the Selectmen of the town of Goshen aforesaid be and they hereby are empowered to assess a tax of four Cents per acre upon each and every acre of Land in said Goshen (public rights excepted) for the term of one year, which taxes when raised to be applied to the purpose of making and repairing roads and bridges in said town.—

And be it further enacted, that the Selectmen who shall assess the said taxes mentioned in this Act are hereby directed to make out their warrant for the collection of the same, and the collector to whom said warrant shall be committed, shall levy and collect the same, with incidental charges, from the lands of any delinquent owner and owners, by sale of such part or parts thereof, as shall be sufficient to discharge the same, after giving six weeks notice thereof and also of the time and place of such intended sale in the New Hampshire Gazette and in some paper printed in said County, also posted up in said Town of Goshen the like term of time previous to said intended sale. And the collector of such taxes is hereby

authorized to make good and valid conveyances of such land, so sold, saving the same time for the redemption thereof as non-resident proprietors are by law intitled to.

And be it further enacted, that the monies, so raised, in Goshen aforesaid, shall be applied solely to the purposes herein mentioned, by the said Selectmen, they giving bond to the Clerk of the Court of Common pleas in said County, for the due appropriation and application of all Monies and taxes that shall be assessed, levied & collected by virtue of this act.—

Provided nevertheless that the owners and proprietors of Land in said town shall have liberty to pay their proportion of the assessments aforesaid in work to be done on said roads and bridges between the first Day of May and the first day of October, for which purpose they shall have two Months notice given them by said Selectmen either personally or in such way and manner as the collector is directed in this Act to give notice in case of sale of Lands, previous to the time in which said work is to be done.—

And that the owner or owners who shall work out said tax shall be allowed six Cents & no more for every hour's actual labor performed by an able bodied man finding his own diet.—

[CHAPTER 21.]

State of }
New Hampshire. }

AN ACT FOR ESTABLISHING A ROAD LAID OUT FROM DOVER COURT HOUSE IN THE COUNTY OF STRAFFORD TO COL^o JOHN HARVEYS IN NORTHWOOD IN THE COUNTY OF ROCKINGHAM BY A COMMITTEE OF THE GENERAL COURT & BY THEM REPORTED WITH A PLAN AT THE SESSION OF THE GENERAL COURT IN DECEMBER ANNO DOMINI ONE THOUSAND SEVEN HUNDRED & NINETY TWO.

[Approved December 28, 1795. Original Acts, vol. 14, p. 143; recorded Acts, vol. 9, p. 237.]

Be it Enacted by the Senate and House of Representatives in General Court convened that a Road from Dover Court-house in the County of Strafford to Colonel John Harveys in Northwood in the County of Rockingham to lead into the road that was laid out by an order of Court from Concord to Durham Be and Hereby is Established according to the following courses and distances and a plan of the Same is in the files of the Secretary of said State, to wit, Begining at said Court-house in Dover, thence runing South Sixty Seven degrees West eighteen rods, thence North eighty three degrees West thirty Six rods nearly as the road is now trod & improved, thence North Seventy Seven Degrees West fifty eight rods, thence North eighty nine degrees West forty six rods, thence South fifty

five degrees West Seventy two rods, thence South eighty five degrees West forty four Rods, thence South Sixty eight degrees West fifty four rods, thence North Seventy five degrees West forty rods, thence North thirty nine degrees West Eighty six rods, thence North Seventy eight degrees West, seventy two rods, thence South seventy four degrees West forty rods, thence South seventy nine Degrees West forty rods, thence North Eighty five Degrees West thirty two rods, thence North fifty three degrees West Sixty eight rods, thence West Seventy two rods, thence South Seventy three degrees West fifty two Rods, then left the old road and runing South Seventy three degrees West fourteen rods to Madbury line, thence South Seventy eight degrees West Twenty six rods, thence North Sixty four degrees West one hundred & Eighty two Rods to the old Road by Maul Hanson's Barn, thence North sixteen degrees West Ninety two rods, thence North Sixty three degrees West one hundred and Twenty two rods, thence North forty four degrees West Sixty rods to Moses Canney's, thence North forty three degrees West one hundred Rods, thence North Sixty one degrees West one hundred & Twenty Six rods, thence North fifty one degrees West fifty six rods to Barrington line, thence North fifty one degrees West Two hundred & Sixteen rods, thence South eighty two degrees West Sixty eight rods, thence North fifty four degrees West one hundred and forty rods to Isaac Waldron's, thence North sixty eight Degrees West eighty rods, thence North forty two degrees West Seventy two rods, thence North twenty one degrees West twenty eight rods to Barrington Meeting-house, thence North thirty nine degrees West forty six rods, thence North forty eight Degrees West thirty six rods, thence North seventeen degrees West eighty rods, thence North thirty one degrees West thirty six rods, thence North five degrees West forty rods, thence North eighteen degrees West Seventy Six rods to Abraham Waldron's, thence North forty seven degrees West two hundred & Eighteen rods, thence North Seventy five degrees West forty six rods, thence North sixty four degrees West Twenty rods, thence West Sixty rods, thence North Sixty five degrees West sixty rods, thence North Sixty eight degrees West Sixty rods, thence South seventy six degrees West one hundred & fifty rods, thence South sixty degrees West thirty rods, thence South seventy two degrees West one hundred and ten rods to the Province road, thence South eighty three degrees West forty two rods, thence North Sixty seven degrees West thirty two rods to Major Samuel Hale's thence North fifteen degrees West forty rods, thence North seventy one degrees West sixteen rods, thence South forty nine degrees West sixteen rods, thence South seventy seven degrees West forty eight rods, thence South Seventy two degrees West thirty eight rods, thence North seventy one degrees West two hundred and twelve rods, thence North eighty two degrees west fifty four rods, thence North forty seven degrees West Sixty eight rods, thence North Sixty seven de-

grees West forty rods, thence South eighty nine degrees West one hundred and Sixteen rods, thence South Sixty nine degrees west ninety Rods, thence South Eighty eight degrees west forty eight rods, thence North Seventy one Degrees West Ninety four rods, thence North Twenty six degrees West eighty rods to Cap^t Caverly's, thence North fifty five degrees West Seventy rods thence North Sixty seven degrees West one hundred and Twenty four rods, thence North Seventy five degrees West eighty rods, thence South eighty two degrees West fifty five rods, then left the Province Road & runing North eighty five degrees West fifty two rods, thence South Seventy four degrees West twenty rods, thence South eighty Degrees West fifty Six rods, thence South sixty three degrees West forty eight rods, thence South forty four degrees West fifty two rods, thence South seventy seven degrees West forty six rods, thence North eighty two Degrees West twenty eight rods thence South Sixty two degrees West thirty eight rods, thence South thirty nine degrees West forty six rods, thence South fifty nine degrees West forty two rods, thence South Seventy nine degrees West forty rods to Northwood line, thence South seventy nine degrees West forty one rods, thence South seventy nine degrees West thirty eight rods, thence South seventy six degrees West four hundred and Sixty eight rods to Northwood road between Colonel John Harvey's house and barn, to wit, the said road to be four rods wide & the line above described to be considered as the center thereof, and the Inhabitants of the several & respective towns and Proprietors of unincorporated land through which the said road passes shall make such part of said road with necessary Bridges thereon as is in each several town passable and convenient for loaded teams within one year from the passing of this Act, and the same shall keep in repair in future agreeable to the Laws that now are or may be made hereafter for the repairing highways—

And Be it further Enacted by the authority aforesaid that the inhabitants of the several and respective towns, & Proprietors of unincorporated lands through which said Road passes shall pay to the owners of the land in their several Towns the following sums as a compensation for the damage by them sustained by the laying said Road through their Lands, to wit,

The Inhabitants of Madbury shall pay to Stephen Hanson the sum of Twenty eight Dollars and Seventy five Cents, to Samuel Evans twenty one Dollars and Sixty seven Cents, to Richard Hanson ten dollars and eighty four Cents, to Captain John Wingate fourteen dollars and thirty three Cents to Maul Hanson Nine Dollars and Seventeen Cents.

The Inhabitants of Barrington shall pay to Samuel Tasker the Sum of eighty Dollars.—

The Inhabitants of Northwood shall pay to Lieu^t Samuel Sherborne the Sum of Twenty one Dollars & seventy five Cents, to

David Knowles forty one Dollars and Sixty seven Cents, to Simeon Knowles forty eight dollars and Sixty seven Cents, to Jonathan Elliot thirteen dollars and thirty three cents, all within nine Months from the passing this Act, and where the Inhabitants of either of the Towns aforesaid shall refuse or neglect to pay the several persons aforesaid the sums aforesaid to them respectively herein Ordered to be paid, each and every of said persons from whom payment is withholden shall have right to apply to the Court of Common Pleas in and for the County in which the town lays where such payment may be withholden to compel payment of the same; And the several Courts of Common Pleas in each several County where the Towns aforesaid lay are Hereby authorized and required to give the same remedy to such applicants as they are by Law empowered to give Persons injured by laying out Roads through their lands when the same is done pursuant to the Order of such Courts, any Law, Usage or Custom to the contrary Notwithstanding—

[CHAPTER 22.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER THE RIVER MERRIMAC AT OR NEAR A PLACE CALLED TUCKER'S FERRY IN CONCORD, & FOR SUPPORTING THE SAME.

[Approved December 28, 1795. Original Acts, vol. 14, p. 144; recorded Acts, vol. 9, p. 246.]

Whereas a Bridge over said River at the place above mentioned will be of public utility and Whereas Timothy Walker, Benjamin Emery, William Partridge, Jonathan Eastman and Joshua Thompson and others their associates have petitioned the General Court for liberty to build the same and to be incorporated for that purpose,

Therefore,

Be it Enacted by the Senate & House of Representatives in General Court convened that the persons above named together with those their Associates who are, or shall become Proprietors in said Bridge, so long as they continue Proprietors thereof, shall be a Corporation and Body politic for the purposes aforesaid, under the name of the Proprietors of Federal Bridge, and by that name may sue and be sued, to final Judgment & Execution, and do and suffer all matters acts and things which bodies corporate may or ought to do or suffer; and the said Corporation shall and may have a common Seal, and the same May break, renew and alter at pleasure.

And Be it further Enacted that Timothy Walker Esquire shall call a meeting of said Proprietors by advertisement in the Federal

Mirrour, to be holden at any suitable time and place after fourteen days from the first publication of said advertisement; and the said Proprietors by a Vote of the Majority of those present or represented at said Meeting, accounting and allowing one Vote to each Share in all cases, shall chuse a Clerk, who shall be sworn to the faithful discharge of said Office, and shall also agree on a method of calling future meetings, and at the same, or at any subsequent meetings may elect such Officers and make and establish such Rules and Bye-laws as to them shall seem necessary or convenient for the regulation and government of said Corporation for carrying into effect the purpose aforesaid, and for collecting the Toll herein after granted and established; and the same Rules and Bye-laws may cause to be executed and may annex penalties to the Breach thereof, not exceeding ten dollars for any one Breach; Provided said Rules and Bye-laws are not repugnant to the Constitution and Laws of this State: And all representations at any meeting of said Corporation shall be proved by writing signed by the person to be represented, which shall be filed by the Clerk: And this Act and all Rules, Bye-laws regulations and proceedings of said Corporation shall be fairly and truly recorded by the Clerk in a Book or Books provided and kept for that purpose.—

And Be it further Enacted that the Proprietors aforesaid Be and Hereby are permitted & allowed to erect a Bridge over the River Merrimac at any place within the limits of Tucker's ferry, so called, in Concord; and the said Proprietors are hereby empowered to purchase any lands adjoining said Bridge, and to hold the same in fee Simple, and the share or shares of any of said Proprietors may be transferred by Deed duly executed, acknowledged and recorded by the Clerk of said Proprietors on their records.

And Be it further Enacted that for the purpose of reimbursing said Proprietors the money expended by them in building and supporting said Bridge, a Toll Be and Hereby is granted and established for the benefit of said Proprietors according to the rates following, namely, for each foot passenger one Cent, for each horse and rider three Cents, for each horse and Chaise, chair, sulkey, or other riding carriage, drawn by one horse only, ten Cents, for each riding sleigh drawn by one horse four Cents, for each riding sleigh drawn by more than one horse Six Cents, for each Coach, Chariot, Phaeton or other four wheeled Carriage for passengers drawn by more than one horse Twenty Cents, for each Curricule twelve Cents—for each Cart or other Carriage of Burthen drawn by two beasts ten Cents, and three Cents for every additional beast, for each horse or neat Creature (exclusive of those rode on, or in Carriages two Cents—for Sheep and Swine one half Cent each; and to each team one person, and no more shall be allowed as a driver to pass free of toll.

And Be it further Enacted that the exclusive Right of building and maintaining a Bridge across said River Merrimac any where

within the limits of Tucker's ferry (so called) in Concord Be, and the same is Hereby fully granted to said Petitioners, and such as are, or may be associated with them and become proprietors, their heirs and assigns.—

And Be it further Enacted that if any tax or assessment made by said corporation for compleating or repairing the said Bridge, on the Several shares, shall be unpaid at the time limited for the payment of the same, they may proceed to sell the delinquents' share at public Auction as the Proprietors may agree and determine, and if any overplus remains after paying the Tax on assessments and charges, it shall be returned to the delinquent proprietor

And Be it further Enacted that if the aforementioned Bridge shall not be compleated for travailing within three years from the time of passing hereof, then this Act and every part thereof shall be null and void—

Provided Nevertheless that the Proprietor or owner of said Tucker's ferry shall not be interrupted in his right until said Bridge shall be built— And unless the said Petitioners shall pay the proprietor or owner of said ferry four hundred and fifty Dollars at or before the time said Bridge shall be made passable, this Act shall be null and void—

[CHAPTER 23.]

State of }
New Hampshire. }

AN ACT DIRECTING THE GAOL-KEEPER IN THE COUNTY OF STRAFFORD TO MAKE AND ENTER AN INDORSEMENT ON THE COPY OF AN EXECUTION IN FAVOR OF JOHN DREW AGAINST ANDREW DREW AND JONATHAN WILLIAMS—

[Approved December 28, 1795. Original Acts, vol. 14, p. 145; recorded Acts, vol. 9, p. 253.]

Whereas Andrew Drew and Jonathan Williams both of Durham in the County of Strafford in this State have petitioned the General Court representing. That at the Superior Court of Judicature holden at Dover in said County in April one thousand seven hundred and ninety four, John Drew then of Barnstead in said County, recovered Judgment and purchased his execution against them for two thousand six hundred and sixty four pounds eight shillings and four pence, and caused said Execution to be levied on their real estate to the amount of one thousand seven hundred and eighty nine pounds thirteen shillings and ten pence in part of said Execution—That he then caused the body of said Williams by virtue of said Execution without any indorsement thereon to be taken and committed to the Gaol in said Dover, and to be left with the Gaoler a copy of said Execution in manner aforesaid, by virtue of which he the said Wil-

liams has ever since and still is detained in said Gaol. That they reviewed said Action, and in September last at said Dover reversed said Judgment in part, and that by means whereof said John Drew is now actually indebted to them And prayed relief in the premises—which prayer appearing reasonable—

Be it enacted by the Senate and House of Representatives in General Court convened. That the Clerk of said Superior Court be and he hereby is authorised and directed to make out an attested Copy of the Execution aforesaid in favor of said John Drew with the indorsement or indorsements thereon, and said copy being delivered to the Gaol keeper in said Dover, he is authorised and directed to make the same indorsement or indorsements on the copy left with him upon which said Williams was committed and is detained in Gaol. And at the request of either party to offset the execution aforesaid, recovered by said Andrew and Jonathan, upon said review, against that of said John, and enter his doings on said Execution, and the copy taken from the Clerks office, and to return them into said Clerks office to be by him kept, and which, being done, said Copy shall have the same force and effect in law as though the indorsement or indorsements had been made in due season on the copy left with the Gaol keeper, and the offset had been made upon the original Executions.

[CHAPTER 24.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS FOR THE PURPOSE OF BUILDING AND KEEPING IN REPAIR A BRIDGE OVER PEMIGEWASSET RIVER, NEAR PINE HILL, SO CALLED, IN BRIDGWATER.

[Approved December 31, 1795. Original Acts, vol. 14, p. 146; recorded Acts, vol. 9, p. 256.]

Whereas a Bridge over Pemigewasset River near Pine hill, so called, in Bridgewater will be of public Utility, and William Harper, David Mac-Crillis, Josiah Brown, Georg C. Ward, Benjamin Colby, William B. Kelley and others their Associates have Petitioned the General Court for liberty to build the same and to be incorporated for that purpose— Therefore—

Be it Enacted by the Senate & House of Representatives in General Court convened that the persons above named together with those their associates who are, or shall become Proprietors in said Bridge, so long as they continue to be Proprietors thereof, shall be a Corporation and body politic for the purpose aforesaid under the name of the Proprietors of Bridgewater & New Hampton Bridge, and by that name may sue and be sued, prosecute and be prosecuted to

final Judgment and Execution, and do and suffer all matters and things which bodies corporate may or ought to do or suffer; And the said corporation shall and may have and use a common Seal, and the same may break renew and alter at pleasure.

And Be it further Enacted that the said George C. Ward shall call a Meeting of said Proprietors by advertisement in one of the Concord Newspapers, to be holden at some suitable time and place, giving at least fourteen days notice, and the Proprietors by a vote of the Majority of those present or represented at said Meeting, allowing one vote to each share in all cases, shall choose a Clerk who shall be sworn to the faithful discharge of his Office, and they shall also agree on a Method of calling meetings in future and at the same time or at any subsequent Meeting may elect such Officers and make such rules & Bye-laws as they shall deem necessary or convenient for the regulation and government of said Corporation for carrying into effect the purposes aforesaid and for collecting the Toll herein after granted, and the same rules and Bye-Laws may cause to be executed and may annex penalties to the breach thereof, not exceeding ten Dollars for any one breach; Provided the said rules and Bye-laws are not repugnant to the Constitution & Laws of this State; and all representations at any meeting of said Proprietors shall be proved by writing signed by the person to be represented which shall be filed with the Clerk; and this Act and all rules Bye-Laws, regulations and proceedings of said Corporation shall be fairly and truly Recorded by the Clerk in a Book or books to be kept for that purpose—

And Be it further Enacted that there Be and Hereby is granted to the said Proprietors the right of building and keeping in repair a Bridge over the aforesaid river at the place they may Judge most Suitable for the purpose within one mile of Pine hill, so called, in Bridgewater; and when the said Proprietors have determined on the place for erecting the Bridge, they shall have & there Hereby is granted to them, their Successors and Assigns the exclusive Right or privilege of building and keeping in Repair a Bridge or Bridges over said river any where within four miles of the place by them determined on as aforesaid, measuring from said place by the river bank; And the said Proprietors are hereby authorized and empowered to purchase and hold in fee simple any land near said River which may be necessary for carrying into effect the purpose intended by this Act. And any Proprietor may transfer his share or shares of said Bridge by deed duly executed acknowledged and recorded in the records of said corporation.—

And Be it further Enacted that to reimburse the money expended by said Corporation in building and keeping in repair said bridge There be and Hereby is granted to the Proprietors a Toll according to the Rate and Rules following, namely, for each foot passenger one Cent, for each horse and rider three Cents, for each horse and

Chaise, chair or Sulkey Ten Cents, for each Sleigh drawn by one horse four Cents, for each sleigh drawn by more than one horse six Cents, for each Curricule twelve Cents, for each Coach, Chariot, phaeton or other four wheeled carriage for passengers twenty Cents, for each cart or other carriage of burthen drawn by one beast four Cents, for each waggon, cart or other carriage of burthen drawn by two beasts ten Cents, and for each Carriage of burthen drawn by more than two beasts twenty Cents, for each Sledge or Sled drawn by one beast four Cents, for each Sledge or Sled drawn by two beasts ten Cents, for each Sledge or Sled drawn by more than two beasts twenty Cents, for each horse or neat Creature, exclusive of those rode on or in Carriages, two Cents, for sheep and Swine half a Cent each; and to each team one person and no more shall be allowed to pass as a Driver free of Toll: And at all times when the Tollgatherer shall not attend his duty, the gate or gates shall be left open.—

And Be it further Enacted that if any tax or Assessment made by said Corporation for building or repairing said Bridge on the several shares, shall be unpaid at the time limited for the payment thereof, they may proceed to Sell the delinquent's share or Shares at public Auction as the Proprietors shall agree and determine; and if any overplus remain, after paying the Tax and incidental charges, the same shall be returned to the delinquent proprietor—

And Be it further Enacted that if the said Proprietors after having built said bridge shall at any time neglect to keep the same in repair, or if they neglect or fail to build and compleat said Bridge within the Term of four years from and after the passing of this Act, then this Act and every clause thereof shall be null and void—

[CHAPTER 25.]

State of }
New Hampshire. }

AN ACT EMPOWERING THE JUDGE OF PROBATE FOR THE COUNTY OF ROCKINGHAM TO ALLOW FURTHER TIME FOR RECEIVING AND EXAMINING CLAIMS AGAINST THE ESTATE OF JOHN NEAL ESQUIRE LATE OF LONDONDERRY IN SAID COUNTY DECEAS'D—

[Approved December 31, 1795. Original Acts, vol. 14, p. 147; recorded Acts, vol. 9, p. 263.]

Whereas James Macgregore hath petitioned the General Court shewing that the Estate of the said John Neal Esq^r was represented insolvent and Commissioners were appointed by the Judge of Probate for the County afores^d to receive and examine the claims against the same that the time allowed by the Judge for that purpose had expired before said Petitioner could exhibit to the Commissioners

certain demands in his favour against said Estate and that no division of said Estate has been made among the Creditors and praying releif which appearing reasonable to be granted Therefore Be it Enacted by the Senate & House of Representatives in General Court convened that the Judge of Probate for the County of Rockingham be and he hereby is authorised and empowered to allow to the Commissioners on the Estate of the said John Neal Esq' or any two of them a further Term of Six months from and after the passing of this Act for receiving and examining all such Claims as may be exhibited against said Estate by any of the Creditors thereof any Law usage or custom to the contrary notwithstanding—

[CHAPTER 26.]

State of }
New Hampshire. }

AN ACT TO GRANT A LOTTERY FOR THE BENEFIT OF DARTMOUTH COLLEGE

[Approved December 31, 1795. Original Acts, vol. 14, p. 148; recorded Acts, vol. 9, p. 278.]

Whereas it is the duty of the Legislature to encourage Literature, and for the interest of the State that literary Institutions be promoted. And it having been made appear to this General Court that the Trustees of Dartmouth College need assistance to enable them to carry on to advantage the laudable designs of that Institution—Therefore

Be it enacted by the Senate and house of Representatives in General Court convened, That there be and hereby is granted to the Trustees of Dartmouth College liberty to set up and carry on a Lottery so as to raise a sum not exceeding fifteen thousand dollars for the use of said College, over and above the expence for the management thereof. And that five years from the date hereof be allowed for carrying the same into effect.

And be it further enacted that the Trustees of said Dartmouth College from time to time appoint so many managers or directors as they shall judge proper for carrying on said Lottery; which managers or directors shall be sworn to a faithful discharge of that trust; and shall also give bonds to said trustees to account to them at the expiration of each year for the nett proceeds of their management to that time. And such managers or directors shall be and are hereby authorized and empowered to carry on said Lottery in such way and manner as they shall judge most adviseable for raising said sum; and shall be allowed for their expenditures and service therein such sums as the said Trustees on examination of their accounts shall judge proper.

And be it further enacted that the Governor and Council for the time being be and hereby are incorporated with said trustees so far as shall relate to the application and appropriation, for the use and benefit of said College, of the nett proceeds of said Lottery.

[CHAPTER 27.]

State of }
New Hampshire. }

AN ACT INCORPORATING SAMUEL BLODGET ESQUIRE AND OTHERS HIS ASSOCIATES WITH THE EXCLUSIVE RIGHT AND PRIVILEGE OF CUTTING CANALS AND OPENING AND CLEARING THE RIVER MERRIMAC FROM ISLE OF HOOKSETT FALLS (SO CALLED) TO WINIPISIOKEE POND.

[Approved January 1, 1796. Original Acts, vol. 15, p. 1; recorded Acts, vol. 9, p. 265. See acts of June 21, 1797, recorded Acts, vol. 10, p. 223; December 24, 1798, id., vol. 11, p. 154; December 22, 1803, id., vol. 14, p. 191.]

Whereas Samuel Blodget Esquire and others have petitioned to be incorporated for the purpose of cutting Canals and opening and clearing the River Merrimac from Isle of Hooksett falls (so called) to the east branch of said river which leads to Winipisiokee pond, and from thence to construct and erect such Canals up said branch of said River as shall make the Navigation for boats and rafts safe and convenient from said pond to Isle of hooksett falls aforesaid.

Be it therefore Enacted by the Senate & House of Representatives in General Court convened, that there be and hereby is given and granted unto the said Samuel Blodget, Thomas Russell, Moses Gill, William Tudor, Peter Gilman, James Sullivan William Blodget, Abiel Smith, Perez Morton, Nathan Bond, Samuel P. Kidder, Joseph Barrell, William Gray, Daniel Tilton, Nathaniel Rogers, Jeremiah M. Sandborn, James Jewett, Benjamin Hoit, Enoch Coffin, Jonathan Clark, Nathaniel Gilman, William Harper, Joseph Clark, Nathan Taylor, William Thompson, Gilman Leavitt, Isaac Waldron, Samuel Gilman, Bezaleel Woodward, Russell Freeman, Joseph Peirce, Stephen Webster 3^d William Partridge and John Cate, their heirs and assigns with such others as may become associates with them as tenants in common the sole and exclusive right of cutting and opening canals, erecting locks and dams necessary for the same, and of clearing the river Merrimac from Isle of hooksett falls (so called) to the Mouth of the Winipiseokee branch and the waters of the same to Winipisiokee pond.—

And Be it further Enacted that the said Grantees be and hereby are incorporated and shall be a Corporation and body politic forever under the name of The Proprietors of the Winnepisiokee & Merrimac Canal, and by that name shall be called & known and may sue

and prosecute and be sued & prosecuted to final Judgment and execution, and shall be and are hereby vested with all the powers and privileges which are by Law incident to corporations of a similar nature.—

And Be it further Enacted, That the said Proprietors or any three of them, may make application to any Justice of the peace for the County of Rockingham requesting him to call a meeting of the said Proprietors to be holden at some convenient place within the Town of Plastow in the same County, whereupon such Justice is hereby empowered to issue his warrant to one of said Proprietors directing him to warn and Notify said Proprietors to meet at such time and place in said town as he shall therein direct to agree on such method as may be thought proper for calling meetings of said Proprietors in future, and to do and transact such matters and things relating to said Propriety as shall be expressed in the warrant, and the proprietor to whom such warrant shall be directed shall give notice to said Proprietors by causing the same, or the substance thereof to be published in the New Hampshire Gazette and Columbian Centinel printed in Boston, twenty one Days before the holding of said meeting, and make return thereof under his hand to the same Justice to be lodged with the Clerk that shall be then and there chosen, and the said Proprietors may at the same or any other legal meeting choose a Clerk, Treasurer, & any other officer or officers of the Corporation that they may deem necessary, and also may choose a Committee for ordering and regulating the business and affairs of the said Corporation, and every proprietor shall have a right to vote in the proprietary Meetings according to his share and Interest in person or by Representative in the following ratio (*viz*^t) the whole grant to said Corporation to be divided and to consist of one hundred and thirty six Shares, and any Proprietor therein owning one share and not more than two shall be allowed one vote to each share, owning four shares three votes, Seven Shares four votes and owning eleven shares five votes, and for all shares above eleven shall be allowed one vote for each five of said shares, provided no one Proprietor shall have more than twenty votes, all representations to be proved in writing signed by the person making the same by special appointment which shall be filed with and recorded by the Clerk; and this Act and all rules, regulations and votes of the said Corporation shall be fairly and truly recorded by the said Clerk in a Book or books for that purpose to be by him kept. Provided that Whereas it may be necessary in the prosecution of the foregoing business that the property of private persons may (as in the case of highways) be appropriated for the public use in order that no person may be damaged by the digging & cutting Canals through his lands, or flowing his land by the Proprietors aforesaid without receiving full and adequate compensation therefor; Be it further Enacted that in all cases where any person shall be damaged in his

property by the said Proprietors for the purpose aforesaid in manner as is above expressed or in any other way, and the Proprietors aforesaid do not within twenty days after being requested thereto, make or tender reasonable satisfaction to the acceptance of the person damaged by them as aforesaid, the person so damaged may apply to the Court of Common Pleas for the County in which the damage shall have been sustained, to have a Committee appointed by said Court, at his own expence, to estimate the damage so done, and the said Court are hereby authorized and empowered by warrant under the seal thereof upon such application made, if within one year from the time of the damage done as aforesaid, to appoint a Committee of five disinterested freeholders in the same County to estimate the damage, which Committee shall give seasonable notice to the person interested and to the Clerk of the Proprietors aforesaid of the time and place of their meeting, and they shall be under Oath to perform said service according to their best skill and Judgment, which having done, they, or the major part of them shall make return thereof under their hands and Seals to the next Court of Common Pleas to be holden in said County after the same service is performed to the end that the same may be accepted, allowed and recorded; and the Committee so empowered are required to estimate the damage so done and make return thereof as aforesaid, and if the estimate of the Committee be accepted by the Court, the Clerk of the Court is hereby authorized and directed on application therefor to issue an Execution against the property only of the Corporation, or of any Individual belonging thereto for the sum so adjudged in damages, provided the same is not paid within thirty days after the acceptance of said Report, and likewise for the Cost of said Committee and fees of the Court, both to be allowed by the Court, provided the sum of damages estimated by the Committee exceed the damages so tendered; but in case the Proprietors actually tendered to the persons complaining before the complaint was exhibited a sum as great as that allowed by the Court in damages, then nothing to be included in the Execution for Costs of committee or Court. The execution to be issued by the Clerk of the Court to be in the same terms mutatis mutandis, and returnable in the same time as though Judgment had been rendered against said Corporation for a like sum in damages, on process in the Court of Common Pleas; and if any person find himself aggrieved by the doings of said Committee in estimating damages, he may apply to said Court of Common Pleas; provided such application be made to the same Court at the next session thereof in the same County, after the acceptance of such return, and said Court is empowered to hear and finally determine the same by Jury, under Oath to be drawn & summoned in the usual manner for that purpose, if the person complaining desire the same, or by a Committee if the person complaining desire the same, or by a Committee if the person complaining and the Proprietors can agree

thereon, and if the Jury or Committee agreed on as aforesaid who are to be under Oath shall not increase the sum of damages, the person complaining shall be at the Cost arising on such complaint to be taxed against him by the said Court, otherwise such cost and increase of damages shall be paid by the Proprietors and execution to issue therefor as aforesaid expressed—And it shall be the duty of such Committee or Jury on application of either of the parties and reasonable notice given to all persons interested to determine where and how many bridges shall be made and maintained by said Proprietors over the Canal or canals so to be cut as aforesaid, and how the same shall be constructed, and what damages shall be paid by the proprietors for neglecting to make or maintain such bridges, and the Report of such Committee or verdict of such Jury being returned into the same Court, and being allowed and Recorded shall be a sufficient barr against any action brought for damages aforesaid, saving only that when the sum of damages is not estimated at a sum in gross for the full satisfaction thereof, but a yearly Sum is assessed, in such case the Complainant shall be entitled to an Action of Debt for the recovery of the same, so often as the same becomes due, during the continuance of the damage done or suffered as aforesaid; and also for the recovery of damages for neglecting to make & maintain the Bridges as often as the same is demandable. Provided that no building shall be removed or water-course turned or altered whereon any Mill is erected so as to injure such Mill without licence therefor first had and Obtained from the owner of the same.—

And Be it further Enacted that for the purpose of reimbursing the said Proprietors the money by them expended or to be expended in building and supporting the dams, Canals and locks, and clearing the passages necessary for the purposes aforesaid a Toll be & hereby is granted and established for the sole benefit of the Proprietors on all wood, lumber & merchandize conducted through said Canals or any part thereof, the rates of which toll for the term of Sixteen years from the passing of this Act shall be at the direction of the proprietors, but the same shall be uniform and not altered oftener than once a year, which shall be published in the Concord Newspapers; at the expiration of which term of sixteen years the Proprietors shall (if requested therefo render the General Court of this State an accurate account of the annual income arising from said Canals, after which the General Court aforesaid shall (if they think proper) establish the future rate of toll of the aforesaid canals; provided said toll shall not be reduced below an annual income of Twelve per Cent after deducting all necessary repairs and charges attending the same.

And Be it further Enacted, that there shall be Toll-gatherers and others to attend all locks on said canals in the day time, and on the said Canals at suitable places, who shall give constant attendance at their respective stations during the whole of the season for boats

and rafts to pass; and on the toll being paid shall immediately permit passengers with their property to pass the said locks and canals; and the said Toll shall commence on said canals as soon as the Same or any part thereof shall be completed.

And Be it further Enacted that the Proprietors aforesaid be and they hereby are authorized and empowered to purchase and hold to them and their successors forever so much land & real estate as may be necessary for the purpose aforesaid—

And Be it further Enacted that if said proprietors shall refuse or neglect after the term of Six years to build and keep in repair said locks and canals so as to render said waters navigable for boats of ten tons burthen to pass up and down from Isle-of-hooksett falls to Winipisiokee pond, and in all respects to answer the true intent and purpose of this Act, then this Act and every part thereof shall be null and void—

Provided that nothing in this Act shall authorize said Corporation to take or use any more of the waters from either of the Rivers aforesaid than shall be necessary for carrying the purposes of this Act into effect, or to erect or extend any dam or dams so far across either of the said Rivers as to prevent fish or lumber from passing therein—

[CHAPTER 28.]

State of }
New Hampshire. }

AN ACT TO ASCERTAIN THE WAYS & MEANS BY WHICH PERSONS MAY GAIN A SETTLEMENT IN ANY TOWN OR DISTRICT WITHIN THIS STATE SO AS TO ENTITLE THEM TO SUPPORT THEREIN IF THEY SHALL BE POOR AND UNABLE TO SUPPORT THEMSELVES.—

[Approved January 1, 1796. Original Acts, vol. 15, p. 2; recorded Acts, vol. 9, p. 281. Laws, 1797 ed., p. 190; id., 1805 ed., p. 304. See additional act of December 25, 1816, Laws, 1824 ed., p. 28. Repealed by act of December 16, 1828, id., 1830 ed., p. 302.]

Be it enacted by the Senate and house of Representatives in General Court, convened, That legal settlements in any town or district within this State shall be hereafter gained so as to oblige such town or district to support the persons gaining the same, if they become poor and unable to support themselves by the ways & means following and not otherwise.—

1st A married woman shall have the settlement of her husband, if any he have within this State, but if otherwise, her own, if any she had at the time of marriage shall not be lost or suspended by such marriage, unless she shall have gained a legal settlement elsewhere; but in case no such settlement shall be by her obtained after such marriage; and in case she shall become poor and be supported

at the Cost and charge of the town or district of her settlement at the time of such marriage, the husband being poor and needing relief, he shall be provided for and supported in the same town or district, but at the charge of the State.—

2. Legitimate children shall have the settlement of their father if he shall have any such within this State, until they gain a settlement of their own; but if he shall have none, they shall have the settlement of their mother, if she shall have any.

3. Illegitimate children shall have the settlement of their mother at the time of their birth, if she shall have any within this State; but neither legitimate or illegitimate children shall gain a settlement by birth in any place where they may be born, if neither of their parents shall then have a settlement there.

4. Any person of twenty one years of age & upwards having real estate of the value of one hundred & fifty dollars, or personal estate of the value of two hundred and fifty Dollars in the town or district where he dwells and has his home and shall for the term of four years pay all taxes duly assessed on his poll and the estate aforesaid, shall thereby gain a settlement in such town or district.—

5. Any person who shall be admitted an inhabitant by any town or district at a legal meeting, in the warrant for which an article shall be inserted for that purpose, or shall be chosen and actually serve one year in the office of clerk, treasurer, selectman overseer of the poor, assessor, constable, or other town officer liable to be fined for not accepting his office being duly elected thereto, in any town or district within this State shall thereby gain a settlement in said town or district.—

6. All persons dwelling and having their homes in any unincorporated place in this State, at the time when the same shall be incorporated into a town, or district, shall thereby gain a settlement therein.—

7 Upon division of towns or districts, every person having a settlement in either of them, but being removed therefrom at the time of such division, and not having gained a settlement elsewhere, shall have his settlement in that town or district wherein his former dwelling place or home shall be upon such division. And when any new town or district shall be incorporated composed of one or more old incorporated towns or districts, all persons settled in the town or towns, district or districts of which such new town or district is composed, and who shall actually dwell and have their homes within the limits of such new town or district at the time of its incorporation, shall thereby gain a settlement in such new town or district.—

Provided nevertheless that no person residing in that part of any town or district which upon such division shall be incorporated into a new town or district, having then no settlement therein shall gain any by force of such incorporation; nor shall such incorporation

prevent his gaining a settlement therein within the time and by the means by which he would have gained a settlement there if no such division had been made.—

8 Any person of the age of twenty one years who shall hereafter reside in any town or district within this State and being taxed for his poll for the term of seven years shall pay all taxes legally assessed on his poll & estate, during the said term shall be an inhabitant in said town or district. And every legal Settlement heretofore gained or which shall be gained by force of this act shall continue until lost or defeated by gaining a new one—and upon gaining a new Settlement all former settlements shall be lost.—

[CHAPTER 29.]

State of }
New Hampshire. }

AN ACT FOR TAXING LAND IN THE TOWN OF LITTLETON.—

[Approved January 1, 1796. Original Acts, vol. 15, p. 3; recorded Acts, vol. 9, p. 287. See altering and amending act of December 9, 1796, recorded Acts, vol. 10, p. 104.]

Whereas a petition has been preferred by James Williams in behalf of the inhabitants of the Town of Littleton, shewing the necessity of laying a tax upon all lands, in said town (public rights excepted) for the purpose of making and repairing public roads and bridges in said Town, and praying that a tax upon all Lands, as aforesaid, of two pence per acre might be granted for the aforesaid purposes; which prayer appearing reasonable,—

Therefore,

Be it enacted by the Senate and house of Representatives in General Court, convened, That there be and hereby is granted, for the aforesaid purposes, a tax of three Cents per acre on each and every acre of land in said town (public rights excepted) for one year only.—

And be it further enacted, That said tax shall be levied and collected on all said lands in Littleton aforesaid, in the same way and manner as by Law non resident state and county taxes are collected, Except leaving the list with the receiver of non resident taxes, and except as herein after directed. And the same time, shall be allowed for the redemption of lands sold by virtue of this act, as non resident proprietors are by Law intitled to.—

And be it further enacted, That the Selectmen of Littleton are authorized, by virtue of this act, to assess on all the Lands in said Town (public rights excepted) three Cents per acre, and to collect and apply the same for the purposes aforesaid; and any proprietor or owner may pay his or their proportion of said tax in labor to be

performed on said public roads and bridges in said Town, under the direction of M^r James Williams and M^r Ebenezer Pingree, who are hereby appointed to inspect said work, and to account with said Selectmen for all monies and taxes received by them for the aforesaid intentions. And there shall be allowed six Cents and no more for every hour's actual labor performed by an able bodied man, finding his own diet, and the same price per yoke for ox work. And the said James Williams and Ebenezer Pingree shall give bond to the Clerk of the Court of Common pleas for the County of Grafton with sufficient surety for the faithful performance of their trust, and for accounting with the Selectmen as aforesaid according to the true intent and meaning of this act.

Provided nevertheless that said labor shall be performed between the first day of May and the first day of October and two months notice shall be given said proprietors for said purposes either personally or by advertizing the list of the Taxes, with the sums, the names of Grantees, and the number and range of the lots, in the New Hampshire Gazette, and in some paper printed in said County, and also posted up in some public place in said town of Littleton, the same term of time, previous to which said work is to be performed.—

Provided always that said Monies or so much thereof as may be necessary shall be laid out and expended for bridging and making passable with loaded carts, waggons &c the main public road as laid out by a Committee appointed by the State running through said town from Landaff to Northumberland.—

[CHAPTER 30.]

State of }
New Hampshire. }

AN ACT FOR TAXING LAND IN THE TOWN OF DALTON IN THE COUNTY OF GRAFTON.—

[Approved January 1, 1796. Original Acts, vol. 15, p. 4; recorded Acts, vol. 9, p. 291. See altering and amending act of December, 1796, recorded Acts, vol. 10, p. 104.]

Whereas a petition has been presented by James Williams in behalf of the inhabitants of the Town of Dalton showing the necessity of laying a tax upon all Lands in said Dalton (public rights excepted) for the purpose of making and repairing the public roads and bridges in said Town, and praying that a tax of two pence per acre upon all Lands, as aforesaid, might be granted for the aforesaid purposes.—

Therefore,

Be it enacted by the Senate and house of Representatives in General Court, convened, That there be and hereby is granted for the

purposes aforesaid, a tax, for the term of one year, on all the Lands in said Town of Dalton (public rights excepted) of three Cents per acre.

And be it further enacted, That said tax shall be levied and collected on all the Lands in said Dalton (except, as aforesaid) in the same way & manner as by law non resident State and County taxes are collected, except leaving the List with the Receiver of non resident taxes, and except as hereinafter directed.—

And be it further enacted, That the Selectmen of Littleton in said County, in the same manner as tho' they were Selectmen of said Dalton, are authorized by virtue of this act, to assess on all the Lands in said Town (public rights excepted) three Cents per acre on each and every acre; and to collect & apply the same for the purposes aforesaid; and any proprietor or proprietors may pay his or their proportion of said tax in labor to be performed on the public roads and bridges in said Town, under the direction and inspection of Lieu^t Walter Blois & M^r Moses Blake who are hereby appointed to inspect said work, and to account with said Selectmen for all monies and taxes received for the aforesaid purposes, and there shall be allowed six Cents per hour and no more, for the labor of an able bodied man finding his own tools and diet, and for ox work the same price per yoke, and the said Walter Blois & Moses Blake shall give Bond to the Clerk of the Court of Common pleas for the County of Grafton with sufficient surety for the faithful performance of their trust and for accounting with said Selectmen according to the intent and meaning of this act. Provided nevertheless that the labor shall be performed between the first Day of May and the first Day of October, and two months notice shall be given the said proprietors either personally or by advertisement of the List of the Taxes, with the sums, the names of the Grantees and the number and range of the Lots in the New Hampshire Gazette, and in some paper printed in said County and also posted up in some public place in said Town the same term of time previous to which said work is to be done.

And the same time shall be allowed for the redemption of lands sold by virtue of this act as non resident proprietors are by Law intitled to.—

Provided always that said monies or so much thereof as may be necessary shall be laid out & expended, for bridging and making passable with carts & waggons the main public road, as laid out by a Committee appointed by the State, running through said Town from Landaff to Northumberland.—

[ORDERS, RESOLVES AND VOTES OF A LEGISLATIVE NATURE PASSED
DURING THIS SESSION.]

1795, December 24.

The Committee appointed to consider of the Petition of Bezaleel Woodward Esq^r Secretary of Dartmouth College— Reported that they have examined the papers shewn by the Secretary among which is a report of Commissioners appointed from Boston at the request of a Board of Commissioners in Scotland by which it appears that large Sums of Money had been furnished by the Society in Scotland but for the express purpose of Supporting Moor's School not having any connection nor applied to use of the College—

It also appears that the College is now considerably in debt and that the funds are inadequate to the annual support of the Institution, notwithstanding the present Governors are too few in Number compared with the Students annually educated there—

The Committee are of Opinion that it will be for the honour and Interest of the state to make a grant to that Seminary of Some of the unlocated lands belonging to this State Say—twenty four thousand five hundred Acres adjoining the land already granted and that the trustees hold themselves ready at all times for a full investigation of their Accounts expenditures and funds from the foundation of the College to the present time for the better information of the Legislature for which purpose the Committee recommend that Suitable persons be appointed as such a Measure may be productive of particular benefit to the Institution and safe foundation for deliberations of the Legislature when acting thereon— which report being read and considered motion was made to accept the Same—

[House Journal, 1794-99, p. 221. There is nothing in the Senate Journal to show what was done about this report.]

1796, January 1.

Resolved that the Treasurer of this State and the Treasurers of the Several Counties be and they hereby are directed not to issue any warrant or Extent for the Collection of Taxes against any Town or place in this State not incorporated or having so few Inhabitants as to be incapable of chusing Town officers until the end of the next Session of the General Court— And be it further Resolved that the Several Sherriffs in this State to whom any such warrant may have been committed be and they hereby are directed not to execute the Same, but to return them to the Treasury office from which they may have issued—

[House Journal, 1794-99, p. 252. Senate Journal, 1791-6, p. 452.]

[FIFTH GENERAL COURT.]

[Held at Exeter and Concord, Two Sessions, June 1, 1796, to December 16, 1796.]

[OFFICERS OF THE GOVERNMENT.]

JOHN TAYLOR GILMAN, GOVERNOR.
 JOSEPH PEARSON, SECRETARY.
 NATHANIEL PARKER, DEPUTY SECRETARY.
 OLIVER PEABODY, TREASURER.
 JOSHUA ATHERTON, ATTORNEY GENERAL.
 EBENEZER SMITH, PRESIDENT OF THE SENATE.
 RUSSELL FREEMAN, SPEAKER OF THE HOUSE.

[MEMBERS OF THE COUNCIL.]

Christopher Toppan,	Hampton.
Joseph Badger, Jr.,	Gilmanton.
Robert Wallace,	Henniker.
Thomas Bellows,	Walpole.
Jonathan Freeman,	Hanover.

[MEMBERS OF THE SENATE.]

Moses Leavitt,	North Hampton.
Jeremiah Fogg,	Kensington.
Joseph Blanchard,	Chester.
Michael McClary,	Epsom.
John McDuffee,	Rochester.
Ebenezer Smith,	Meredith.
Timothy Taylor,	Merrimack.
James Flanders,	Warner.
Ephraim Hartwell,	New Ipswich.
Elisha Whitcomb,	Swanzey.
Amos Shepard,	Alstead.
Moses Baker,	Campton.

[MEMBERS OF THE HOUSE.]

Acworth,	William Grout.
Alexandria. See New	
Chester.	
Allenstown and }	Benjamin Noyes.
Bow, }	
Alstead,	Moses Hale.
Alton. See New	
Durham.	

Amherst,		Daniel Warner.
Andover,		Joseph Philbrick.
Antrim and	}	John Duncan.
Campbell's Gore,		
Atkinson and	}	Jonathan Payson.
Plaistow,		
Barnstead,		Charles Hodgdon.
Barrington,		Isaac Waldron.
		Thomas W. Hale.
Bartlett.	See Conway.	
Bath,	}	Peter Carleton.
Landaff and		
Lincoln,		John Orr.
Bedford,		
Boscawen,		Benjamin Little.
Bow.	See Allenstown.	
Bradford.	See Fishersfield.	
Brentwood,		Gilman Leavitt.
Bridgewater.	See New Chester.	
Brookfield.	See Wolfeboro.	
Burton.	See Tamworth.	
Campbell's Gore.	See Antrim.	
Campton.	See Holderness.	
Candia,		Nathaniel Emerson.
Canaan,	}	Daniel Blaisdell.
Grafton and		
Orange,		Nehemiah Clough.
Canterbury,		
Charlestown and	}	Samuel Stevens.
Langdon,		
Chester,		William White.
Chesterfield,		Simon Willard.
Chichester and	}	Robert Tibbetts.
Pittsfield,		
Claremont,		George B. Upham.
Cockburne.	See Northumberland.	
Cockermouth,	}	David Hale.
Dorchester and		
Hebron,		
Colburne.	See Northumberland.	
Concord,		John Bradley.
Concord (Lisbon).	See Lyman.	
Conway,	}	David Page.
Bartlett and		
*Locations,		Daniel Chase.
Cornish,		
Coventry.	See Haverhill.	

Croydon and } Wendell, }	Edward Hall, Jr.
Dalton, } Dartmouth, }	Richard C. Everett.
Lancaster and } Littleton, }	
Danbury. See New Chester.	
Dartmouth. See Dalton.	
Deerfield,	Joseph Mills.
Deering,	Robert Alcock.
Derryfield and } Litchfield, }	Clifton Claggett.
Dorchester. See Cockermouth.	
Dover,	Moses Wingate.
	Richard Tripe.
Dublin,	Thaddeus Mason.
Dunbarton,	David Story.
Dunstable,	Noah Lovewell.
East Kingston. See South Hampton.	
Eaton. See Tamworth.	
Effingham and } Ossipee, }	Carr Leavitt.
Enfield,	Jesse Johnson.
Epping,	Jonathan Clark.
Exeter,	Benjamin Connor.
Fishersfield and } Bradford, }	Ebenezer Eaton.
Fitzwilliam,	Nahum Parker.
Francestown,	Peter Woodbury.
Franconia. See Lyman.	
Gilmanton,	Samuel Shepard.
	Joseph Young.
Gilsum and } Surry, }	Jonathan Robinson.
Goffstown,	Robert McGregore.
Goshen and } Unity, }	Wilson Shaw.
Grafton. See Canaan.	
Greenfield and } Society Land, }	Robert Dinsmoor.
Greenland,	Joshua Weeks.
Hampstead,	John True.
Hampton,	Oliver Whipple.
Hampton Falls and } Seabrook, }	Elisha Brown.
Hancock,	Samuel Gordon.
Hanover,	Russell Freeman.

Haverhill and	}	Nathaniel Merrill.
Coventry,	}	
Hawke and	}	Timothy Tilton.
Sandown,	}	
Hebron. See Cockermouth.		
Henniker,		Timothy Gibson.
Hillsborough,		Benjamin Pierce.
Hinsdale,		Aaron Cooper.
Holderness,	}	
Campton and	}	Samuel Holmes.
Thornton,	}	
Hollis,		Jeremiah Ames.
Hopkinton,		Thomas Bailey.
Jaffrey,		Benjamin Prescott.
Keene,		Josiah Richardson.
Kensington,		Jeremiah Fogg.
Jeremiah Fogg was elected to the Senate and Enoch Worthen was chosen to fill the vacancy.		
Kingston,		Jacob Webster.
Lancaster. See Dalton.		
Landaff. See Bath.		
Langdon. See Charlestown.		
Lebanon,		Elisha Payne.
Lee,		Nathaniel Clough.
Lempster and	}	James Bingham.
Marlow,	}	
Lincoln. See Bath.		
Litchfield. See Derryfield.		
Littleton. See Dalton.		
Londonderry,		William Choate.
		James Pinkerton.
		Enoch Wood.
Loudon,		
Lyman,	}	Samuel Young.
Concord (Lisbon) and	}	
Franconia,	}	
Lyme,		John Fairfield.
Lyndeborough,		Ephraim Putnam.
Madbury,		John Wingate.
Marlborough,		Phineas Farrar.
Marlow. See Lempster.		
Mason,		Joseph Barrett.
Merrimack,		James Thornton.
Middleton and	}	Jonathan Palmer.
Wakefield,	}	
Milford and	}	Benjamin Farley.
Raby,	}	

Moultonborough and Tuftonboro,	}	Nathan Hoit.
New Chester, Bridgewater, Alexandria and Danbury,	}	Thomas Crawford.
New Durham and Alton,	}	Jacob Chamberlain.
New Grantham and Springfield,	}	Robert Duncan.
New Hampton, Newington, New Ipswich, New London.		Thomas Simpson. Ephraim Pickering. Charles Barrett.
See Sutton.		
Newmarket, Newport, Newton, Northfield, North Hampton, Northumberland,		Josiah Adams. Uriah Wilcox. Theophilus Goodwin. Charles Glidden. Thomas Leavitt.
Piercy, Stratford, Cockburne, Colebrook, Shelburne, Stewartstown and Wales Location,	}	Jeremiah Eames.
Northwood, Nottingham, Nottingham West, Orange.		Jonathan Clark. Bradbury Cilley. Joseph Greeley.
See Canaan.		
Ossipee.		
See Effingham.		
Packersfield and Sullivan,	}	Roswell Hubbard.
Pelham, Pembroke, Peterborough,		Amos Moody. Richard Bartlett. John Smith.
Piercy.		
See Northumberland.		
Piermont and Warren,	}	Russell Richards.
Pittsfield.		
See Chichester.		
Plainfield,		Daniel Kimball.
Plaistow.		
See Atkinson.		
Plymouth and Rumney,	}	William Presson.
Poplin.		
See Raymond.		

Portsmouth,	John Goddard. Samuel Drowne. Woodbury Langdon.
Raby. See Milford.	
Raymond and } Poplin, }	Ebenezer Osgood.
Richmond,	Moses Tyler.
Rindge,	Daniel Rand.
Rochester,	James Howe. William Palmer.
Rumney. See Plymouth.	
Rye,	Joseph Parsons.
Salem,	Joseph Wardwell.
Salisbury,	John C. Gale.
Sanbornton,	William Harper.
Sandown. See Hawke.	
Sandwich,	Asa Crosby.
Seabrook. See Hampton Falls.	
Sharon and } Temple, }	Ebenezer Edwards.
Shelburne. See Northumberland.	
Society Land. See Greenfield.	
Somersworth,	James Carr.
South Hampton and } East Kingston, }	Benjamin Barnard.
Springfield. See New Grantham.	
Stewartstown. See Northumberland.	
Stoddard,	Nathaniel Emerson.
Stratford. See Northumberland.	
Stratham,	Nicholas Rollins.
Sullivan. See Packersfield.	
Surry. See Gilsum.	
Sutton and } New London, }	Matthew Harvey.
Swanzy,	Calvin Frink.
Tamworth, } Eaton and }	David Gilman.
Burton,	
Temple. See Sharon.	
Thornton. See Holderness.	
Tuftonboro. See Moultonborough.	
Unity. See Goshen.	
Wakefield. See Middleton.	
Walpole,	Thomas Sparhawk, Jr.
Warner,	Aquila Davis.
Warren. See Piermont.	

Washington,	Azariah Faxon.
Weare,	Samuel B. Tobie.
Wendell. See Croydon.	
Westmoreland,	Joseph Burt.
Wilton,	Philip Putnam.
Winchester,	Samuel Smith.
Windham,	Samuel Armor.
Wolfeboro and }	
Brookfield, }	William Chamberlain.

*The Locations represented were as follows:

Thomas Chadbourne's	Francis Green's
Goffe's	Samuel Stark's
M. H. Wentworth	Rindge's and Peirce's
Roger's and Treadwell's	Vere Royse's
Sterling's	W. Stark's
Martin's	Philip Bayley's
Sherburne's and others	Robert Furnis'
Theophilus Dame's	Samuel Gilman's
John Hurd's	McMillan's
Stephen Holland's	David Gilman's
Archibald Stark's	Gridley's
Samuel Hale's	Gray's

[*First Session, Held at Exeter, June 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 1796.*]

[CHAPTER 1.]

State of }
New Hampshire. }

AN ACT TO AUTHORIZE THE REPRESENTATIVES OF THE COUNTY OF CHESHIRE TO MEET IN CONVENTION TO RAISE MONEY FOR PAYING THE EXPENCES OF SAID COUNTY—

[Approved June 10, 1796. Original Acts, vol. 15, p. 5; recorded Acts, vol. 10, p. 82. See act of June 16, 1797, recorded Acts, vol. 10, p. 229.]

Whereas, by the Justices of the Court of Common pleas, for the County of Cheshire, a petition hath been presented, representing to the General Court; that in order to discharge the debts of said County it hath become necessary that a sum of money be raised at the present session of the General Court, and praying that an act be passed empowering the Treasurer of said County to assess the sum of one thousand three hundred and thirty three dollars and thirty four cents, for the purpose of discharging their County debts, which prayer appearing reasonable.

Be it enacted by the Senate and House of Representatives in General Court convened. That the Representatives of said County be and they hereby are authorized, at the present session of the General Court, to meet in convention, and, if they see cause, to raise said sum of one thousand three hundred and thirty three dollars and thirty four cents, or such other sum as to them may appear necessary, and for the interest of said County; and the sum so raised shall be assessed, levied and collected according to the true intent and meaning of this Act and the laws of this State, for raising, levying, assessing and collecting and paying over County Taxes.

And the Treasurer of said County and all persons concerned, are hereby vested with ample powers to cause to be collected such sum of money as may be raised by said Convention in pursuence of this Act; and they are directed to do it, in the same manner as though the members of the General Court for said County had, at the last session thereof, in Convention, raised said sum of money

[CHAPTER 2.]

State of }
New Hampshire. }

AN ACT FOR REMITTING PART OF A JUDGMENT RENDERED AGAINST STEPHEN DAVIS AND DAVID DANIELS AT THE SUPERIOR COURT IN THE COUNTY OF STRAFFORD AT APRIL TERM AD 1795—

[Approved June 11, 1796. Original Acts, vol. 15, p. 6; recorded Acts, vol. 10, p. 56.]

Whereas the Superior Court of Judicature holden at Dover in the County of Strafford April Term AD 1795 rendered a Judgment upon a recognizance taken in behalf of said State against Stephen Davis of Dover Trader and David Daniels of Madbury husbandman both in the County of Strafford, for the sum of Eight hundred & thirty three dollars & thirty three Cents each; which recognizance was taken for the appearance of one Francis Drew, who absconded and made default— and the said Davis and Daniels have petitioned the Legislature, shewing the great severity of this Judgment under the peculiar Circumstances of their Case— & praying for relief— which prayer appearing reasonable—

Be it therefore enacted, by the Senate & house of Representatives in General Court convened, that after paying and satisfying all those individuals who are interested in the said Recognizance and Judgments, and also paying all the Costs that have arisen to said State on the said prosecutions, that such part of the said Judgments as by Law accrues to this State, be & hereby is, remitted to the said Davis and Daniels; and that neither they, the said Davis or Daniels, or any sureties they have obtained for the payment of that

part of the Judgment so remitted which accrued to the State, be any longer held or prosecuted therefor, but discharged and acquitted from the same; of which, all officers and others concerned are to take notice, upon their being served with a Copy of this Act, and to govern themselves accordingly—

[CHAPTER 3.]

State of }
New Hampshire. }

AN ACT TO DISANNEX CERTAIN PERSONS, WITH THEIR ESTATES FROM
LYNDEBOROUGH IN THE COUNTY OF HILLSBOROUGH IN THIS
STATE AND ANNEX THEM TO TEMPLE—

[Approved June 11, 1796. Original Acts, vol. 15, p. 7; recorded Acts, vol. 10, p. 59.]

Whereas Benjamin Killam, Joseph Killam, John Kidder Jun^r Theodore Barker, Ebenezer Stiles, Joseph Richardson and Samuel Killam, all of Lydeborough in the County of Hillsborough aforesaid, have petitioned the General Court praying to be set off from said Lydeborough and incorporated with Temple, and upon a public hearing, there appearing no reasonable objections, but the prayer of said petitioners appearing reasonable—

Be it enacted by the Senate and House of Representatives in General Court convened. That the said Benjamin Killam, Joseph Killam, John Kidder Jun^r Theodore Barker, Ebenezer Stiles, Joseph Richardson and Samuel Killam, their heirs and assigns, with their estates, and all the lands hereafter mentioned, viz^t Begining at the southwest corner of Lydeborough, being the southwest corner of Converses farm at a stake and stones; thence north on the west line of said Lydeborough about four hundred rods, to a grey burch tree marked, being the northeast corner of Borlands farm and the northwest corner of lot N^o three drawn to the oreginal right of Thomas Fluker Esq^r Thence east about four hundred rods to a beach tree, marked, being the northeast corner of lot N^o two drawn to the oreginal right of John Moffatt Esq^r Thence south about four hundred rods to a Stake and stones, being the southeast corner of lot N^o one and the northeast corner of Temple. Thence west about four hundred rods on the south line of Lydeborough to the bounds first mentioned, Be and hereby are disannexed from said Lydeborough and annexed to, and incorporated with said Temple. And the inhabitants who now do, or hereafter shall live within the limits aforesaid, with their estates, in all assessments for public taxes, and in all Town affairs, shall be considered as being, and they shall be included in, and belong to said Temple; provided nevertheless; that until a new proportion of taxes shall take place, the persons and

estates aforesaid, shall be taxed in said Lyndeborough, for their State and County taxes: provided also, that the inhabitants who now do, or at any time hereafter shall reside, within the limits aforesaid, shall not have it in their power, in any wise to deprive the inhabitants of said Temple, according to their former lines and boundaries, from holding their meetings for public worship, and other public meetings at such place or places as they may think proper: and the said Town of Temple shall be liable and chargeable for the support of all such poor persons, within the limits aforesaid, and no other, that said Town of Lyndeborough would have been liable to support, had this act not been made—

[CHAPTER 4.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE A PLACE CALLED COLBROOK IN THE
COUNTY OF GRAFTON.

[Approved June 11, 1796. Original Acts, vol. 15, p. 8; recorded Acts, vol. 10, p. 65.]

Whereas Moses Smith and others have petitioned the General Court representing that they are inhabitants of Colbrook, and that they labor under many inconveniences by reason that they are not incorporated, and praying for an act of incorporation, which prayer appearing reasonable.

Be it enacted by the Senate and House of Representatives in General Court convened. That the aforesaid place and tract of land by the bounds and lines of the Charter thereof, be and it hereby is incorporated into a Town by the name of Colbrook, to have continuance, succession and duration forever: and the inhabitants who now are and hereafter shall be inhabitants thereof, are hereby vested with all such Town privileges as other Towns in this State, in common and ordinary cases have and enjoy by virtue of any incorporations, or powers, derived by their Charters.

And Jeremiah Eames of Northumberland Esq^r shall warn the first meeting of said Town and preside therein till a moderator shall be chosen and he shall give fourteen days notice of the time place and design of said meeting by causing to be posted up in said Town at some proper place, a notification thereof, which meeting shall be holden some time before the first day of November next. And the annual meeting in said Town of Colbrook shall forever after be on the first tuesday of March—

[CHAPTER 5.]

State of }
New Hampshire. }

AN ACT FOR TAXING LAND IN KEARSARGE-GORE IN THE COUNTY OF HILSBOROUGH

[Approved June 11, 1796. Original Acts, vol. 15, p. 9; recorded Acts, vol. 10, p. 67.]

Whereas a Petition has been presented by Abner Watkins in behalf of the Inhabitants of Kearsarge Gore in the County of Hillsborough shewing the Necessity of laying a tax on all lands in said Gore (publick lands excepted) for the purpose of making and repairing roads & Bridges in said Gore and praying that a tax upon all land as aforesaid of three Cents per Acre might be granted for the purposes aforesaid, which prayer appearing reasonable

Therefore

Be it enacted by the Senate and House of Representatives in General Court convened. That the Select Men of Kearsarge Gore be and they hereby are empowered to assess a tax of three Cents per Acre upon each and every acre of Land in said Gore (publick lands excepted) for the term of one Year which taxes when raised to be applied to the purpose of making and repairing roads and Bridges in said Gore

And be it further enacted That the Select Men who shall assess said Tax mentioned in this act are hereby directed to make out a Warrant for the Collection of the same and the Collector to whom said Warrant shall be committed shall levy and collect the same with incidental charges from the lands of any Delinquent owner or owners by sale of such part or parts thereof as shall be sufficient to discharge the Same after giving six weeks Notice thereof and also of the time and place of such intended sale in the New Hampshire Gazette and in the Village Messenger or some paper printed in the County of Hillsborough also posted in some publick place in said Gore the like term of time previous to such intended sale— And the Collector of said taxes is hereby Authorised to make good and valid conveyences of such land so sold saving the same time for the redemption thereof as Non resident proprietors are by law intitled to

And Be it further Enacted That the Monies so raised in Kearsarge-Gore aforesaid shall be applied solely to the purpose herein mentioned by Abner Watkins he giving bond to the Clerk of the Court of Common pleas in said County for the due appropriation and application of all Monies and taxes that shall be assessed Levied and Collected in virtue of this act

Provided Nevertheless that the owners or proprietors of Land in

said Gore Shall have liberty to pay their proportion of the Assessments aforesaid in work to be done on said roads and bridges between the first day of May and the first Day of October for which purpose they shall have two months Notice given them by said Abner Watkins — either personally or in Such way and Manner as the Collector is Directed in this Act to give Notice in case of sale of lands previous to the time in which said work is to be Done— And that the Owners and proprietors who shall work out said tax shall be allowed Six Cents and no More for every hours actual labor performed by an able bodied man finding his own Diet

[CHAPTER 6.]

State of }
New Hampshire. }

AN ACT FOR TAXING LAND IN CONCORD IN THE COUNTY OF
GRAFTON—

[Approved June 11, 1796. Original Acts, vol. 15, p. 10; recorded Acts, vol. 10, p. 71.]

Whereas a petition has been presented by John Young Esq^r in behalf of the inhabitants of the Town of Concord in the County of Grafton shewing the necessaty of laying a tax upon all lands in said Town, public rights excepted, for the purpose of making and repairing roads and bridges in said Town, and praying that a tax upon all lands as aforesaid of two pence per acre might be granted for the aforesaid purposes, which prayer appearing reasonable. Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened. That the Selectmen of the Town of Concord in the County of Grafton, for the time being, be and they hereby are empowered to assess a tax of three Cents per acre upon each and every acre of land in said Concord, public rights excepted for the term of one year, which tax, when raised to be applied to the purpose, in the first instance, of building a good sufficient bridge over Ammonusick river in said Concord, on the public road leading from Landaff to Northumberland; and the residue, if any there be, to be applied to the purpose of making and repairing roads and bridges in said Town.

And be it further enacted. That the Selectmen who shall assess said Tax mentioned in this act, are hereby directed, to make out a warrant for the collection of the same, and the collector to whom said warrant shall be committed, shall levy and collect the same, with incidental charges, from the lands of any delinquent owner or owners, by sale of such part or parts thereof as shall be sufficient to discharge the same, after giving six weeks notice thereof, and

also of the time and place of such intended sale, in the New-hampshire Gazette and in the Dartmouth Centinel, or some paper printed in said County of Grafton, also posted up in said Town of Concord the like term of time previous to such intended sale. And the collector of said taxes is hereby authorized to make good and valied conveyances of such land, so sold, saving the same time for the redemption thereof as non-resident proprietors are by law, for the sale of lands for State and County taxes entitled to. And be it further enacted. That the monies so raised in Concord aforesaid, shall be applied soley to the purposes herein mentioned; by said Selectmen, they giving bond to the Clerk of the Court of Common pleas in said County, for the due appropriation and application of all monies and taxes, that shall be assessed, levied and collected in virtue of this act.

Provided nevertheless, that the owners or proprietors of land in said Town shall have liberty to pay their proportion of the assessments aforesaid in work to be done on said roads and bridges between the first day of May and the first day of October, for which purpose they shall have two months notice given them by said Select-men of said Town, either personally or in such way and manner as the collector is directed in this act to give notice in case of sale of lands previous to the time in which said work is to be done. And that the owners and proprietors who shall work out said tax, shall be allowed six cents and no more for every hours actual labor performed by an able bodied man finding his own diet—

[CHAPTER 7.]

State of }
New Hampshire. }

AN ACT TO EMPOWER A COMMITTEE TO SETTLE & FIX THE BOUNDARY LINES BETWEEN TAMWORTH & EATON AND TAMWORTH AND BURTON.

[Approved June 11, 1796. Original Acts, vol. 15, p. 11; recorded Acts, vol. 10, p. 75.]

Whereas Thomas Cogswell Thomas Leavitt & Bradbury Cilley agents in behalf of the proprietors of the township of Tamworth; Winthrop Smart, Jacob Blasdel & John Banfill agents in behalf of the proprietors of the township of Eaton; Moses Senter, Henry Weed & Orlando Weed agents in behalf of the proprietors of the township of Burton all in the State of New Hampshire have in their petition to this Court, represented, That on the fourteenth day of October seventeen hundred & sixty six the township of Tamworth was granted, that soon afterwards Eaton & Burton were granted, Eaton adjoining on the east side & Burton on the north of Tam-

worth— That various disputes had arisen on the part of Eaton relative to the east line of Tamworth, on the part of Burton relative to the north line of Tamworth— That it appears that there is land sufficient to complete the above mentioned grants according to their true intent & meaning— And that from a desire to put an end to altercation & law suits the petitioners agents in behalf of the said several proprietors had agreed to lay their papers and evidence before the Honorable Simeon Olcott of Charlestown, John Peirce of Portsmouth both in the State of New Hampshire Esquires & Josiah Little of Newbury in the Commonwealth of Massachusetts Esquire & in case of the refusal or death of either of them Russell Freeman of Hanover Esquire to be joined— And that they shall be a Committee to fix the line on the east between Tamworth & Eaton, & on the north between Tamworth & Burton: the report of whom or any two of them as aforesaid to be final & conclusive between the parties if made & lodged in the office of the Secretary of this State within twelve months from the passing of the Act for the purpose.— And that it was further agreed that fourteen days notice given by said Committee to the proprietors clerk of the townships of Tamworth, Eaton, & Burton or to one of the agents before named of each of those towns of the time & place of the sitting of said Committee on the business, shall be sufficient notice & if either then neglect to appear, to proceed exparte.—And that they had further agreed to petition this Court to pass an Act empowering said Committee to settle & fix the lines aforesaid— Whereupon they prayed that they might have leave to bring in a bill & that an Act might be passed empowering the said Committee to ascertain & fix the said lines under the restrictions aforesaid—

Which being reasonable—

Be it enacted by the Senate & House of Representatives in General Court convened, That Simeon Olcott of Charlestown John Peirce of Portsmouth both in the State of New Hampshire & Josiah Little of Newbury in the Commonwealth of Massachusetts— & in case of the refusal or death of one of them Russell Freeman of Hanover in the State of New Hampshire be & are hereby appointed a Committee with full power & authority to hear said parties their witnesses & evidences & to settle fix & establish the easterly boundary line of Tamworth between Tamworth & Eaton & the northerly boundary line of Tamworth between Tamworth & Burton. Provided that the said Committee shall give fourteen days notice to the Clerk of the proprietors of Tamworth Eaton & Burton or to one of the agents of the proprietors of each of those towns petitioning for this Act of the time & place of the sitting of the said Committee for the aforesaid purpose; & in case either party after such notice shall neglect to appear, the said Committee may proceed exparte. And the report of the said Committee, or any two of them thereupon made in writing under their hands ascertaining & fixing said

boundary lines, & lodged in the office of the Secretary of this State within twelve months from the time of the passing this Act shall be final & conclusive between the said parties; and shall forever hereafter establish the said lines as the true lines between the said towns, and they shall accordingly be so deemed & taken.

And be it further enacted, That the said Committee, be and they hereby are fully authorized & empowered to appoint (if they think necessary) a surveyor & chainman to run such lines & to report to said Committee such plans relative to said premises as either of said parties shall request. And the surveyor so appointed shall give fourteen days notice to the Clerk of each of the proprietors of each of said towns of Tamworth, Eaton and Burton or to one of the agents of the proprietors of each of said towns of the times and places when & where said lines are to be run and plans taken.

And that said Committee be and hereby are fully authorized to adjudge & determine who shall pay the necessary costs and charges that may arise in the hearing & settling of said lines & to ascertain those costs in such manner as to said Committee shall appear just & equitable.—

[CHAPTER 8.]

State of }
New Hampshire. }

AN ACT TO EMPOWER MARY SNOW EXECUTRIX OF THE LAST WILL AND TESTAMENT OF ZERUBABEL SNOW, TO MAKE AND EXECUTE, IN HER SAID CAPACITY, A GOOD AND VALID DEED OF A CERTAIN PIECE OF LAND, WHICH WAS THE PROPERTY OF THE AFORESAID ZERUBABEL SNOW.

[Approved June 13, 1796. Original Acts, vol. 15, p. 12; recorded Acts, vol. 10, p. 41.]

Whereas Benjamin Ballard of Chesterfield in the County of Cheshire Husbandman did, on the ninth day of March in the year of our Lord one thousand seven hundred and ninety five, for a good and valuable consideration, purchase of Zerubabel Snow late of the same Chesterfield husbandman deceased, the easterly part of the hundred acre lot being number five in the thirteenth range in said Chesterfield, comprehending all that part of the hundred acre lot aforesaid, which lies East of the Road leading by the house of Ebenezer Cooper, situate on the West end of said lot; and the said Zerubabel did on the same ninth day of March, sign, as he then supposed, a Deed of the whole of the land on the east side of the aforesaid road to the said Benjamin his Heirs and assigns; and it manifestly appearing, that by some mistake the Deed aforesaid comprises only the one half of the land actually and bonafide purchased by and intended to be conveyed to the said Benjamin. And whereas a

petition has been preferred to the Legislature, signed by the aforesaid Benjamin Ballard, Mary Snow, executrix of the last will and testament of the said Zerubabel Snow, and by certain other persons, heirs of the aforesaid Zerubabel, praying that the said Mary might be authorised and empowered, in her aforesaid capacity, to make and execute a good and valid conveyance, by Deed, to the said Benjamin his heirs and assigns, of the premises aforesaid, situate on the East side of said Road. Which prayer being founded in reason & Justice.

Be it enacted by the Senate and House of Representatives in General Court convened. That the said Mary Snow in her aforesaid capacity be, and she hereby is fully authorised and empowered to make and execute by Deed to the said Benjamin Ballard, his heirs and assigns forever, a good, sufficient, and valid conveyance of all that part of the one hundred acre lot aforesaid, which lies on the East side of said road; and the Deed, which the said Mary is by this act empowered to give, shall be as good and valied to all intents and purposes, to pass and convey said land to the said Benjamin in manner aforesaid, as any Deed which the said Zerubabel could have given in his life-time of the same premises.

[CHAPTER 9.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT TO INCORPORATE CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER PISCATAQUA RIVER BETWEEN BLOODY POINT AND FURBURS FERRY SO CALLED AND FOR SUPPORTING THE SAME—

[Approved June 13, 1796. Original Acts, vol. 15, p. 13; recorded Acts, vol. 10, p. 44. The act referred to is dated June 20, 1793, and is in recorded Acts, vol. 8, p. 173. See additional act of December 4, 1800, id., vol. 13, p. 71.]

Whereas sundry Inconveniencies have arisen from the recited Act being not so explicit respecting the Toll therein granted as is necessary; And various Artifices are practised to elude the Payment thereof—

Be it therefore Enacted by the Senate and House of Representatives in general Court convened That from and after the passing of this Act for every Cart, Waggon, Sled, and other Carriage of burthen, drawn by more than six beasts there shall be paid ten—Cents for each additional beast above six; And for every Sled, Sleigh, Cart Waggon and Carriage that shall be drawn on any Part of the said Bridge, & for every Person, Traveller and beast that shall go and enter upon any part thereof the full Toll for once passing shall be paid at the Toll-house to the Person appointed to collect the same—

[CHAPTER 10.]

State of }
New Hampshire. }

AN ACT IN ADDITION OF AN ACT, INTITLED AN ACT FOR THE EASE AND RELIEF OF PRISONERS IMPRISONED FOR DEBT; PASSED FEBRUARY FIFTEENTH ONE THOUSAND SEVEN HUNDRED AND NINETY ONE—

[Approved June 13, 1796. Original Acts, vol. 15, p. 14; recorded Acts, vol. 10, p. 54. Laws, 1797 ed., p. 145; id., 1805 ed., p. 129; id., 1815 ed., p. 155. The act referred to is printed in Laws of New Hampshire, vol. 5, p. 704. See additional acts of December 13, 1796, Laws, 1797 ed., p. 465; November 30, 1803, id., 1805 ed., p. 130; December 23, 1808, id., 1815 ed., p. 159; June 26, 1816, id., 1824 ed., p. 21; June 25, 1818, id., p. 22.]

Be it enacted by the Senate and House of Representatives in General Court convened. That when any person now committed, or who hereafter may be committed to prison upon any Writ of Execution issued upon a Judgment rendered upon any plea of the case, trespass, ejectment, trover, or trespass on the case, shall have remained a prisoner for and during the term of thirty days; the Justices of the Superior Court of Judicature, or Courts of Common-pleas in each County respectively, upon petition of the prisoner and notice given to the creditor as in and by said Act is required in other cases, may, if in their opinion, the public good will admit of it, administer the same oath, and extend the same benefits and privileges to said prisoners, as in and by said Act is extended to prisoners for debt. And the said Creditors shall have like remedy against any estate of said prisoners, so liberated, as in and by said Act is prescribed in other cases.

And be it further enacted, that when in the opinion of either of the Courts aforesaid, upon examination had, in the County where such prisoner is, or may be committed, the public good will not admit of the liberating or enlargment of such prisoner, and such prisoner may be unable to pay his prison-charges; that then and in every such case, the County where such prisoner may be committed, shall be liable to pay the same; and the Courts of Common-pleas in each County respectively, are hereby empowered to examine all such accounts for prison charges and allow so much as to them may appear Just, not exceeding one dollar per week, and to raise the same as other County taxes are raised.

[CHAPTER 11.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE A SOCIETY BY THE NAME OF THE PROPRIETORS OF PORTSMOUTH LIBRARY.—

[Approved June 14, 1796. Original Acts, vol. 15, p. 15; recorded Acts, vol. 10, p. 39.]

Whereas a petition has been presented to the general Court, praying that the proprietors of Portsmouth Library may be incorporated, which prayer appearing reasonable.—

Be it enacted by the Senate & House of Representatives in general Court convened that Nathaniel Adams, Joshua Brackett, John Pickering, John Hale & Peter Cones & their Associates and successors be & they hereby are incorporated and made a body corporate and politic forever under the name of the Proprietors of Portsmouth Library; and by that name may sue & prosecute & be sued & prosecuted to final Judgment & Execution, & shall be & hereby are vested with all the powers & privileges which by Law are incident to Corporations of a similar nature.—

And be it further enacted—That Nathaniel Adams is hereby appointed to call the first meeting of said proprietors by giving three weeks notice of the time & place thereof in the New Hampshire Gazette & shall preside at the same, and the said proprietors may at the same or at any future meeting agree upon a method for calling meetings of said proprietors, choose all officers that may be necessary to transact their business, assess any Taxes they may see fit, and pass any by laws for the due government & regulation of said society with penalties not exceeding the delinquent's share in said library— provided the same are not repugnant to the Laws & Constitution of the state.—

And be it further enacted that the said corporation may hold real & personal Estate, provided that the real Estate at any one time shall never exceed One Acre of Land—

And be it further enacted that the present Laws & regulations of the said society shall be considered as the by-Laws of this Incorporation until they shall see fit to alter them in a meeting of said proprietors.—

[CHAPTER 12.]

State of }
New Hampshire. }

AN ACT TO AUTHORIZE THE JUDGE OF THE PROBATE OF WILLS &C IN & FOR THE COUNTY OF ROCKINGHAM TO GRANT A NEW COMMISSION OF INSOLVENCY ON THE ESTATE OF DANIEL PICKERING LATE OF PORTSMOUTH IN SAID COUNTY MARINER DECEASED, INTESTATE.

[Approved June 14, 1796. Original Acts, vol. 15, p. 16; recorded Acts, vol. 10, p. 46.]

Whereas Titus Salter, surviving Administrator of said Estate, has petitioned the General Court representing that in the Year of our Lord one thousand seven hundred & Sixty seven a Commission of Insolvency on said Estate was issued by the then Judge of Probate of wills &c to Samuel Penhallow and William Knight Esq^{rs} who received divers claims against said Estate but that before they had compleated the business the said Knight died—and therefore praying that the Judge of the probate of Wills &ca for said County may be authorized to appoint new Commissioners to receive examine & adjust the Claims against the said Estate—

Be it therefore Enacted by the Senate and House of Representatives in General Court convened, That the said Judge be, & he hereby is, authorized and impowered to appoint two or more suitable persons to receive, examine and adjust all Claims of the Creditors to said Estate, as fully to all intents as though the said Commission had never been issued—

[CHAPTER 13.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE A COMPANY BY THE NAME OF THE PROPRIETORS OF THE NEWHAMPSHIRE TURNPIKE ROAD—

[Approved June 14, 1796. Original Acts, vol. 15, p. 17; recorded Acts, vol. 10, p. 47. Laws, 1797 ed., p. 325. See additional act of December 7, 1796, recorded Acts, vol. 10, p. 202.]

Whereas a petition has been presented to the General Court setting forth that the communication between the Sea-coast and the interior parts of the State might be made much more easy, convenient and less expensive by a direct road from Concord to Piscataqua Bridge, than it now is, between the Country and any commercial Sea-port—That the expensiveness of an undertaking of this

kind, however useful to the community would burden the Towns through which it may pass so heavily, as to render it difficult to effect so important a purpose, otherwise than by an incorporated company, who might be indemnified by a Toll for the sums that should be expended by them—Therefore it was prayed by the Petitioners that they and their Associates might be incorporated into a body corporate for the aforesaid purpose under such limitations and with such Tolls as might be thought fit, which prayer being reasonable

Be it Enacted by the Senate and House of Representatives in General Court convened, that John Hale, Arthur Livermore Isaac Waldron, John Goddard, Thomas Leavitt William Hale and Peter Green and their Associates and Successors, be, and they are hereby incorporated and made a body corporate and politic forever under the name of the Proprietors of the Newhampshire Turnpike road and by that name may sue and prosecute, and be sued and prosecuted to final Judgment and Execution, and shall be and hereby are vested with all the powers and privileges which by law are incident to Corporations of a similar nature—

And be it further Enacted that the said John Hale Esquire shall call a meeting of said Proprietors by Advertisement in the Newhampshire Gazette to be holden at any suitable time and place after fourteen days from the first publication of said Advertisement, and the proprietors by a vote of the Majority of those present or represented at said meeting accounting and allowing one vote to each share in all cases shall choose a Clerk who shall be sworn to the faithful discharge of said Office and shall also agree on a method of calling future meetings, and at the same time, or any subsequent meetings may elect such Officers and make and establish such rules and bye laws as to them shall seem necessary or convenient, for the regulation and government of said Corporation for carrying into effect the purpose aforesaid, and for collecting the Tolls herein after established, and the same bye laws may cause to be executed and annex penalties to the breach thereof, provided the said rules and bye laws are not repugnant to the Constitution and laws of this State; and all representations at any meeting of said Corporation shall be proved by writing signed by the person to be represented which shall be filed with the Clerk, and this Act and all rules, bye laws, regulations and proceedings of said Corporation shall be fairly and truly recorded by the Clerk in a book or books provided and kept for that purpose—

And Be it further enacted that the said Corporation are empowered to survey lay out, make and keep in repair a Turnpike road or Highway of four rods wide in such rout or track as in the best of their Judgment and skill will combine shortness of distance with the most practicable ground, from Piscataqua Bridge in Durham to Merrimack river in Concord

And be it further Enacted that in case the said Proprietors and the owners of land through which the said road may run, shall not agree on the compensation to be made for said land, The Court of common pleas of the County in which the land lies, upon application of the said Proprietors or of the owners may appoint a Committee who shall ascertain the same in the same way as compensation is made to owners of land for highways, as usually laid out, and Execution on non payment against the said proprietors shall issue of course—

And be it further Enacted That the said Corporation may erect and fix such and so many gates or turnpikes upon and across the said road, as will be necessary and sufficient to collect the Tolls and duties herein after granted to the said Company, from all persons traveling in the same with horses, cattle, carts and carriages—

And Be it further Enacted that it shall and may be lawful for said Corporation to appoint such and so many Toll: gatherers as they shall think proper, to collect and receive, of and from all and every person and persons, using the said road, the Tolls and rates herein after mentioned, and to stop any person riding leading or driving any horses, cattle, hogs, sheep, sulkey, chair, chaise, phaeton, coach, chariot, cart, waggon, sleigh, sled or other carriage of burthen or pleasure from passing through the said gates or turnpikes until they shall respectively have paid the same: that is to say—for every mile of the said road and so in proportion for any greater or less distance, or greater or smaller number of Sheep hogs or cattle viz^t for every ten sheep or hogs one cent,—for every ten cattle, two cents, for every horse and his rider or led horse, one cent—for every Sulkey chair or chaise with one horse and two wheels, one cent and an half; for every chariot, coach, stage, waggon, phaeton or chaise with two horses and four wheels, three cents—for either of the carriages last mentioned with four horses, four cents; for every other carriage of pleasure the like sums according to the number of wheels and horses drawing the same—for each cart or other carriage of burthen drawn by one beast, one cent, for each waggon, cart or other carriage of burthen by two beasts, one and half cent; if by more than two, one cent for each additional yoke of oxen or horse, for each sleigh drawn by one horse, one cent and an half; by two horses; two cents, and if by more than two, one cent for each horse; for each sled drawn by one horse, one cent, for each sled drawn by two horses or a yoke of Oxen, one cent and a quarter and if by more than two horses or one yoke of oxen, one cent for each pair of horses or yoke of Oxen—and at all times when the Toll gatherer shall not attend his duty, the gate or gates shall be left open—

And be it further Enacted that the said proprietors are hereby empowered to purchase and hold in fee simple one thousand acres of land, And that the share or shares of any of said Proprietors may

be transferred by deed duly executed acknowledged and recorded by the Clerk of said Proprietors on their records— and the Share or shares of any proprietor may be sold by said Corporation on nonpayment of Assessments duly made—

And be it further enacted that no toll shall be taken by said Corporation for any mile of said road until six hundred dollars shall have been expended thereon, or a proportionate sum upon the whole number of miles reckoning from Piscataqua Bridge to the place where any Toll gate may be erected—

And be it further enacted, That said Corporation may be indicted for defect of repairs of said road, after the Toll gates are erected, and fined as Towns are by law finable for suffering roads to be out of repair, And said fine may be levied on the profits or Tolls arising or accruing to said proprietors—

Provided nevertheless and be it further enacted That if the said Turnpike road shall in any part be the same with any highway now used, no toll shall be taken for passing the said part nor shall the said proprietors be obliged to make or repair the same—

And be it further enacted that at the end of every twenty years an account of the expenditures upon said road and the profits arising therefrom shall be laid before the Judges of the Superior Court for the time being under forfeiture of the Privilege of this Act in future and if the net profits for the said twenty years shall exceed twelve P^r Cent P^r Annum, the said Court may reduce the future Toll so far as that it may not exceed twelve P^r Cent, And if the profits shall not amount to six P^r Cent, the said Court may raise the Toll so that it shall not be less than six nor exceed twelve P^r cent—

And Be it further Enacted that if in ten years the said road is not compleated according to the Provision in this Act, every part and clause thereof shall be null and void—

Provided also that the State of New Hampshire may at any time after the expiration of forty years from the passing of this Act, repay to the proprietors of the said road the amount of the sum expended by them thereon with twelve per Cent per annum in addition thereto deducting the amount of Toll actually received by the Proprietors, And in that case the said Road shall to all intents & purposes be a public highway, anything in this Act to the contrary notwithstanding—

[CHAPTER 14.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS HEREIN-AFTER NAMED,
INTO A SOCIETY BY THE NAME OF "THE SOCIAL LIBRARY COM-
PANY IN TAMWORTH"—

[Approved June 14, 1796. Original Acts, vol. 15, p. 18; recorded Acts, vol. 10, p. 62.]

Whereas a General diffusion of useful knowledge in a land of Liberty has a happy tendency to preserve Freedom, and make better men and better citizens—

Be it enacted therefore, by the Senate and House of Representatives in General Court convened, That the Reverend Samuel Hidden, Timothy Medar, George Dodge, Jacob Gilman, William Johnson Folsom, John Folsom, Jacob Blasdell, Thomas Watson, Samuel Gilman Junior, Asa Crosby, Israel Gilman, David Gilman, Thomas Sherman, Orlando Weed, Henry Weed, Reuben Sanderson Benjamin Gilman Joseph Jewett Silvenus Hall and Jeremiah Gilman be, and they hereby are formed into, constituted and made, a body politic and corporate by the name of "the Social Library Company in Tamworth," and that they, their successors and such other persons, as may be elected in the manner herein after mentioned, shall be, and continue a body Politic and Corporate by the same name forever—

And Be it further enacted, that the members of said Society may from time to time, elect a Clerk, Librarian and Committee, and such other Officers, as they may deem necessary and expedient, and to determine the Respective numbers and the duties of their several officers—

And be it further enacted, That the members of said Society shall have full power and Authority to make and enact such Rules and bye-laws, for the government thereof, as may by them be found necessary; provided the same be not repugnant to the Constitution and Laws of this State, and to annex reasonable fines and penalties to the breach of them, not exceeding the delinquent's share in said Library; to be recovered by said Society in an action of Debt, to their use, in any Court within this State to try the same—

And Be it further enacted, That the said Society shall forever have the power, to establish the time and mode of convening themselves together, and the number necessary to constitute such meeting, as also the place which to them may appear most convenient—

And be it further enacted; That the members of said Society, may from time to time, admit such persons to become members

thereof, as they may judge proper, & shall have power to expel, suspend, or disfranchise any member thereof—

And be it further enacted that the members of said society as a body politic and corporate, shall forever be deemed capable in law of taking and holding, any donations that may be made them, whether the same be in money, books or other personal Estate—

And Be it further enacted; That the members of said Society, may sue and be sued in all actions personal, & prosecute & defend the same to final Judgment, Execution and Satisfaction by the name of “the Social Library Company in Tamworth—

And be it further enacted that David Gilman Esq^r be empowered to give Notice for Calling a Meeting of Members of said Corporation, fifteen days previous to the Meeting of said Corporation, to meet at the Meeting House in said Tamworth, to organize said Corporation agreeably to The Intention of this Act

[CHAPTER 15.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED “AN ACT GRANTING A TOLL-BRIDGE OVER A CERTAIN PART OF CONNECTICUT RIVER TO JONATHAN CHASE OF CORNISH IN THE COUNTY OF CHESHIRE ESQUIRE HIS HEIRS AND ASSIGNS” PASSED JANUARY ANNO DOMINI ONE THOUSAND SEVEN HUNDRED AND NINETY FIVE—

[Approved June 16, 1796. Original Acts, vol. 15, p. 19; recorded Acts, vol. 10, p. 26. The act referred to is dated January 14, 1795, recorded Acts, vol. 9, p. 86. See act of December 8, 1796, which increases the toll, id., vol. 10, p. 160.]

Whereas by the above described Act of incorporation, it is among other things, provided, that each share shall entitle the owner thereof to one vote in the meetings of the Proprietors, which is found to operate unequally— And whereas there is no effectual mode pointed out in said act to enforce a collection of money to build said bridge— Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened, that the Proprietors of said Corporation shall, in their meetings legally warned, have a right to vote according to the following ratio, and not otherwise, to wit, one share and not more than two, one vote,—for every two shares above two and not exceeding ten, one vote,—for every four shares above ten and not exceeding thirty, one vote,—for every six shares above thirty and not exceeding sixty, one vote,—for every eight shares above sixty and not exceeding one hundred, one vote—and for every ten shares above one hundred, one vote.

And Be it further enacted, that the directors of said Corporation for the time being, shall have power from time to time, to make such assessment on each share, as they may judge necessary for building and repairing said Bridge or Bridges— And shall notify the proprietors of such Assessments by advertising the same in Windsor newspaper at least ten days before the time of payment of such Assessment, and if the assessment shall not be paid, the treasurer of said Corporation for the time being shall sell each delinquent share at Public Auction, the time and place of such sale having been duly notified by him, by publishing the same in the newspaper published at Windsor at least ten days before the day of such Sale,—

And Be it further enacted, that a Deed given by the Treasurer aforesaid in pursuance of this Act, acknowledged and recorded in the Clerk's book, shall be good & valid in law to pass the Estate,— any thing in this or the act of incorporation to the contrary notwithstanding

[CHAPTER 16.]

State of }
New Hampshire. }

AN ACT FOR TAXING LAND IN NORTHUMBERLAND IN THE COUNTY OF GRAFTON.

[Approved June 16, 1796. Original Acts, vol. 15, p. 20; recorded Acts, vol. 10, p. 29.]

Whereas Joseph Peverly Esq^r and others have petitioned the General Court praying that a tax of three Cents per acre might be granted and laid on all the lands in said Northumberland for the purpose of making and repairing roads and bridges therein, which prayer appearing in part reasonable. Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened. That Jeremiah Eames and Joseph Peverly Esq^r and M^r Antapas Marshal of said Northumberland be and they hereby are empowered to assess a tax of two cents per acre upon all the lands in said Town, except the public lands, to be assessed and collected in one tax-bill: which taxes shall be applied to the purpose of making and repairing the public Roads and Bridges in said Northumberland.

And be it further enacted, That the said Eames Peverly and Marshal who shall assess said Tax mentioned in this Act are hereby directed to make out a warrant for the collection thereof, and the Collector who may be appointed by the Town to Collect said Tax, and to whom said Committe, who are hereby authorized, shall make out a warrant, shall levy and collect the same with incidental charges

from the lands of any delinquent owner or owners, by sale of such part or parts thereof as shall be sufficient to discharge the taxes due thereon, after giving six weeks notice thereof, and also of the time and place of such intended sale in the New-Hampshire Gazette and in the Dartmouth Centinel, or some paper printed in said County of Grafton, also posted up in said Town of Northumberland the like term of time previous to such intended sale. And the Collector of said taxes is hereby authorized to make good and valid conveyances of such lands so sold saving the same time for the redemption thereof as non-resident proprietors are by law allowed.

And be it further enacted. That the monies so raised in Northumberland aforesaid shall be applied soley to the purposes herein mentioned by said Eames Peverly and Marshall, they giving bond to the Clerk of the Court of Common pleas in said County of Grafton, for the due appropriation and application of all monies and taxes which shall be assessed, levied and collected in virtue of this Act.

Provided nevertheless that the owners or proprietors of Lands in said Town shall have liberty to pay their proportion of the assessments aforesaid in work to be done on said roads and bridges between the first day of May and the first day of October, for which purpose they shall have two months notice given them by said Eames, Peverly and Marshal, either personally or in writing or such way and manner as the Collector is in this act directed to give in case of sale of lands previous to the time in which said work is to be done.

And that the owners and proprietors who shall work out said tax, shall be allowed six Cents and no more for every hours actual labor performed by an able bodied man, he finding his own diet; and for ox work and tools at the price which may be allowed by said Committee—

[CHAPTER 17.]

State of)
New Hampshire.)

AN ACT FOR TAXING LAND IN FRANCONIA IN THE COUNTY OF GRAFTON

[Approved June 16, 1796. Original Acts, vol. 15, p. 21; recorded Acts, vol. 10, p. 32.]

Whereas the Selectmen of Franconia have petitioned the General Court praying that a tax of two pence p^r acre might be granted and laid on all the lands in said Franconia for the purpose of making and repairing roads and Bridges therein which prayer appearing reasonable

Therefore

Be it enacted by the Senate and House of Representatives in General Court convened that the Select men of said Franconia for the time being be and they hereby are impowered to assess a tax of three cents per acre upon all the lands in said Town except the publick lands to be assessed and collected in one tax bill, which taxes shall be applied to the purpose of making and repairing the publick Roads and Bridges in said Franconia, And be it further enacted that the said Selectmen who shall assess said tax mentioned in this act are hereby directed to make out a warrent for the collection thereof and the collector who may be appointed by the Town to collect said tax and to whom said Selectmen who are hereby authorized, shall make out a warrent and shall levy and collect the same with Incidental charges from the lands of any delinquent owner or owners by sale of such part or parts thereof as shall be sufficient to discharge the taxes due thereon after giving six weeks notice thereof and also of the time and place of such Intended sale in the New hampshire Gazette and in the Dartmouth Centinal or some paper printed in said County of Grafton, also posted up in said Town of Franconia the like term of time previous to such intended sale. And the Collector of said taxes is hereby authorised to make good and vali^d conveyance of such lands so sold saving the same time for the redemption thereof as nonresident proprietors are by law allowed—

And be it further enacted that the monies so raised in Franconia aforesaid shall be applied solely to the purposes herein mentioned by said Selectmen they giving bond to the Clerk of the Court of Common pleas in said County of Grafton for the due appropriation and application of all monies and taxes that shall be assessed levied and collected in virtue of this act.

Provided nevertheless that the owners or proprietors of Lands in said Town shall have liberty to pay their proportion of the assessments aforesaid in work to be done on said Roads and Bridges between the first day of May and the first day of October for which purpose they shall have two months notice given them by said Select men either personally or in writing or such way and manner as the collector in this act is directed to give in case of sale of lands previous to the time in which said work is to be done— And that the owners and proprietors who shall work out said tax, shall be allowed six cents and no more for every hours actual labor performed by an able bodied man he finding his own diet and for ox work and tools at the price which may be allowed by said Selectmen

[CHAPTER 18.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE A PLACE CALLED NEW DURHAM GORE INTO
A TOWN BY THE NAME OF ALTON—

[Approved June 16, 1796. Original Acts, vol. 15, p. 22; recorded Acts, vol. 10, p. 20.]

Whereas a petition has been preferred to the General Court by many of the inhabitants of New-Durham Gore, setting forth, that by reason of their being unincorporated, they are subjected to many inconveniences, that they are deprived of the speediest and most eligible method of raising money for the support of the Gospel ministry, shools & for laying out and repairing highways, & praying to be incorporated, Therefore,

Be it enacted by the Senate & House of Representatives in General Court convened, That the lands and Inhabitants contained in said New Durham Gore, which is bounded as follows, to wit, Easterly on New Durham, Northerly on Wolfeborough, North Westerly on Winnipisiokee Pond, Westerly on Gilmanton and Southwesterly partly on Gilmanton & partly on Barnstead, be and they hereby are incorporated into a Town, by the name of Alton, and the said Town of Alton is hereby invested with all the powers, privileges and immunities, to which other Towns in this State are entitled, agreeable to the Constitution and the laws thereof, to have continuance & succession forever—

And be it further enacted that Joseph Peirce Esquire be and he is hereby authorized to call a Meeting of the said Inhabitants to choose all necessary and customary Town Officers, giving notice of the Time, place and design of said Meeting, by posting up advertisements in said Town fourteen days previous to said meeting, and the said Joseph Peirce shall preside in said meeting until a moderator shall be chosen, and all such Officers shall hereby be invested with all the Powers of the officers of any other Town in this State, and every other meeting which shall be annually held in said Town for that purpose shall be on the second Monday in March forever—

[CHAPTER 19.]

State of }
New Hampshire. }

AN ACT DIRECTING THE MODE OF BALLOTING FOR AND APPOINTING
ELECTORS OF THIS STATE FOR THE ELECTION OF A PRESIDENT AND
VICE PRESIDENT OF THE UNITED STATES—

[Approved June 16, 1796. Original Acts, vol. 15, p. 23; recorded Acts, vol. 10, p. 22. Laws, 1797 ed., p. 167. See act of November 12, 1788, which relates to balloting, Laws of New Hampshire, vol. 5, p. 331. See also act of June 20, 1792, which has the same title as this act, recorded Acts, vol. 6, p. 549.]

Be it enacted by the Senate and house of Representatives in General Court convened, that the inhabitants of the several Towns, Plantations and Places in this State qualified to vote in the choice of Senators for the State Legislature, shall Assemble in their respective Towns, Plantations and Places on the first Monday of November next to vote for Six suitable persons, Inhabitants of this State who shall not be Senators or Representatives in Congress or persons holding offices of profit or trust under the United States to be electors of a President and vice President of the United States— And the Selectmen of the Towns Plantations and Places shall give Fifteen days Notice of the Time Place and Design of such Meeting:—And the meeting shall be governed by a Moderator chosen for that purpose, who shall impartially preside; and with the Selectmen, whose duty it shall be to attend at such meeting, shall receive from all the inhabitants of such towns plantations and places respectively present and qualified as aforesaid, votes for such electors; and shall in open Meeting sort and count the same, of all which the Clerk of such town plantation or place respectively shall make a fair record in the presence of the said Selectmen, of the Name of every person voted for, and the Number of votes against his Name, and a full and fair copy of this record shall be made out and attested by the said Selectmen and Clerks respectively, and sealed up and directed to the Secretary of the State, with a Superscription expressing the purport thereof and transmitted by the said Clerks to the Sheriffs of the respective Counties to which they belong within Seven days after said Meetings, or to the Secretary's office on or before the fourth Wednesday of November next.—And the several Sheriffs shall on or before the said fourth Wednesday of said November transmit to the Secretary's Office all Votes that shall be in manner aforesaid transmitted or delivered to them— And the respective Sheriffs and Clerks aforesaid shall be liable to the same penalties for neglect of the duties enjoined on them respectively by this Act as they are liable to by Law, for Omissions in transmitting the votes for Governor and Senators for this State.—And the Secre-

tary shall on the fourth Thursday of said November lay the same before the Senate and house of Representatives in Convention to be by them examined. And in Case there shall appear to be any, or the full Number, who have a Majority of Votes, the person or persons having such Majority shall be declared electors: But if there shall not be any or the Whole Number having such Majority the Senate and House of Representatives, in Convention as aforesaid, shall cause to be made out a list of the persons not chosen, having the highest Number of Votes, equal to double the Number of electors wanted: And if in making out such List it shall happen that two or More persons voted for have an equal Number of Votes, which Number is also high enough to entitle to a place in said list, the Names of such persons shall be put into a Box, and the Secretary not being one of the Candidates, shall in presence of the said Convention draw the Number wanted to compleat said list; from which list the said Convention shall elect by Ballot the Number of Electors wanted And the person or persons having a Majority of such Votes shall be appointed and declared Electors—And all the Electors duly appointed as aforesaid shall be notified to attend their duty as such—

And be it further enacted—that in cases Where the Secretary shall be a Candidate and his name shall be put into the Box as aforesaid, the said Convention shall appoint some other Suitable person in his stead to draw out the Name or Names of a person or persons in the Manner herein before directed—

And be it further enacted That the Electors appointed as aforesaid shall meet and give their Votes for President, and Vice President of the United States at Concord on the first Wednesday of December next and shall proceed to do all the Other duties incumbent upon them, as Electors in Manner prescribed by Law—

[CHAPTER 20.]

State of }
New Hampshire. }

AN ACT TO PREVENT PERSONS FROM DIGING UP THE BODIES OF DEAD PEOPLE.

[Approved June 16, 1796. Original Acts, vol. 15, p. 24; recorded Acts, vol. 10, p. 37. Laws, 1797 ed., p. 283; id., 1805 ed., p. 289; id., 1815 ed., p. 500. See act of July 2, 1825, id., 1830 ed., p. 162. This act is repealed by the act of June 22, 1810, id., 1815 ed., p. 339.]

Be it Enacted by the senate and house of representatives in general Court convened that if any person or persons shall enter any church yard or any public or private burying place or any place where persons are buried in this State and there dig up or carry away any human body or the remains thereof or shall directly or

indirectly be Aiding or Assisting therein shall for every such offence on conviction thereof before the Justices of the Superior Court be fined a sum not Exceeding one thousand dollars be publicly whiped not Exceeding thirty nine stripes or be imprisoned not Exceeding one year as the Court before whom the conviction shall be considering the nature and agravation of the offence may order

and be it Further Enacted that all fines ariseing by this act shall be one half thereof to the Informant the other moiety to the use of the County where the offence was committed—

Provided nevertheless that this act shall not Extend to any person or persons who may have a licence from any Justice of the peace in the county where such person is buried authorising him or them to dig up such dead body when complaints are made and suspicions entertained that the deceased came to his or her death by some unlawful means or to any relation or friend of the deceased wishing to remove the said body to some other Ground or to any person taking up the body of a criminal having purchased the same of said criminal for the purpose of dissection having Certificate therefor from a Justice in such County, nor shall this act be construed to Extend to prevent any town or place in this state from removing the dead from one burying Ground or field to another where it is provided for by vote of s^d Town or place

[CHAPTER 21.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO THE LAWS NOW IN FORCE RELATING TO PROPRIETORY MATTERS—

[Passed June 17, 1796, without the approval of the Governor. Original Acts, vol. 15, p. 25; recorded Acts, vol. 10, p. 35. Laws, 1797 ed., p. 436; id., 1805 ed., p. 193; id., 1815 ed., p. 234; id., 1830 ed., p. 115. See acts of July 3, 1781, Laws of New Hampshire, vol. 4, p. 401; November 10, 1784, id., vol. 5, p. 30. See additional act of December 24, 1798, Laws, 1805 ed., p. 193.]

Be it enacted by the Senate and House of Representatives in General Court convened.

That from and after the passing this Act, all meetings and adjourned meetings, of any Proprietors of lands, to be holden by virtue of the laws of this State, for transacting Proprietary matters, and all vendues, and adjourned vendues for the sale of Lands of the Proprietors, on account of the non-payment of any Taxes of the delinquents; shall be holden in the manner in this Act mentioned, and not otherwise; that is to say. In all such Towns and places within this State, having fifty families settled and resident therein, all the meetings, adjourned meetings and vendues for the sale of lands, shall be holden in such Town or place; for which the business

is to be transacted: and in all such Towns and places as at the time of holding any Proprietary meeting, adjourned meeting, or vendue for the sale of lands, there may at that time, be twenty families, or any number of families resident therein between twenty and fifty; such meeting or vendue shall be holden in such Town, or in the nighest Town thereto, which may at that time have fifty families resident therein; or in the nearest Shire Town thereto in the County wherein the lands lie—

And be it further enacted. That the same term of time, and mode of redemption, in proprietary matters shall be had and pursued, as by the laws of this State is allowed and pointed out, for the payment of money for the redemption of Lands sold for State and County Taxes—

[CHAPTER 22.]

State of {
New Hampshire. }

AN ACT IN ADDITION TO AND AMENDMENT OF AN ACT ENTITLED
“AN ACT TO ESTABLISH AN EQUITABLE METHOD OF MAKING RATES
AND TAXES AND FOR COLLECTING SUCH AS ARE NOW DUE FROM
OR MAY HEREAFTER BE ASSESSED ON SUCH TOWNS AND PLACES
AS ARE OR MAY BE INCAPABLE OF CHUSING TOWN OFFICERS”—

[Approved June 17, 1796. Original Acts, vol. 15, p. 26; recorded Acts, vol. 10, p. 4. Laws, 1797 ed., p. 207; id., 1805 ed., p. 452; id., 1815 ed., p. 547. The act referred to is dated February 22, 1794, id., 1797 ed., p. 202. See act of December 26, 1798, id., 1815 ed., p. 548.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the Treasurer of this State is hereby authorised and directed to redeem with any monies now in the Treasury all such Townships or Locations as have been sold pursuant to warrants issued, either for State or County Taxes, agreeably to the directions hereafter mentioned, excepting those that have already been or shall be redeemed prior to the time fixed in this act for redemption by the State viz^t That previous to any redemption by him made, he is hereby directed to give public notice to all persons concerned by publishing an advertisement in the New Hampshire Gazette, the Eagle printed at Hanover and the Boston Mercury in which advertisement shall be inserted, the substance of this act, also that it be his duty to attend said Business from the first to the tenth day of August next inclusive at Exeter and that he shall proceed to redeem such Townships and Locations as have been sold by virtue of said Act where the Purchaser or purchasers shall neglect to appear & give bonds within said time to the sheriff who sold the same with sureties, conditioned that he or they will relinquish his or their Claim to any lot Right or tract of land where the owner,

Proprietor or Claimant shall pay his or their proportion of the sum for which such Township or location was sold with interest thereon on or before the expiration of one year from the day of Sale; and the said Sheriff or Sheriffs on receiving indemnification may and it shall be his or their duty to receive of any person or persons claiming any lot or tract of land sold as aforesaid their proportion of the sum for which said land was sold according to their interest therein, together with interest therefor, which proportion shall be made according to the number of acres without regard to the Quality of said land; and the said Sheriffs shall except the proportion any Claimant shall redeem, in the deed he shall make to the purchaser or purchasers of any Township or Townships or locations; & the Treasurer is hereby directed to call on any Sheriff or Sheriffs who have sold lands as aforesaid, whose duty it shall be to attend from the said first to the tenth day of August next at Exeter accordingly; and if the sheriff or Sheriffs shall neglect to attend on said business as aforesaid, it shall be the duty of the Treasurer to redeem the lands as herein directed—And Be it further enacted that in all cases where the Tax of any Township or location is assessed in one sum by the Treasurer either for State or County Taxes and such Townships not sold, the said Sheriff or Sheriffs are hereby authorised and directed to receive from any owner, proprietor or claimant (when tendered) his proportion of the Assessment and cost if any, according to his interest therein, the Proportion to be made according to the number of Acres as aforesaid, and after any Sale shall be made by virtue of the Act to which this is an addition, any proprietor owner or claimant may redeem his share of the Same according to his interest therein, paying his proportion as aforesaid and the Sheriff shall make the exceptions in his deed to the Purchaser or Purchasers as herein pointed out, where Townships or locations have been sold: And the Treasurer is hereby authorised to proceed in the collection thereof, any resolve to the contrary notwithstanding—

[CHAPTER 23.]

State of }
New Hampshire. }

AN ACT FOR GRANTING TO GEORGE WENTWORTH OF PORTSMOUTH MARINER TEN THOUSAND ACRES OF LAND—

[Approved June 17, 1796. Original Acts, vol. 15, p. 27; recorded Acts, vol. 10, p. 4.]

Be it Enacted by the Senate and House of Representatives in general Court convened That there be and hereby is granted to the said George Wentworth his heirs and Assigns—Ten thousand acres of land in the Northwesterly Part of said State to be laid out adjoin-

ing lands already granted as the Governor and Council shall hereafter direct—On Condition that the said George Wentworth his heirs or Assigns shall within twelve years from the passing of this Act have Six families settled on said tract of land—

And Be it further Enacted that the Governor with advice of Council be authorized to make execute and deliver to the said Wentworth a Charter of said land at such time as the said Wentworth shall make return of a proper Survey of the same—

[CHAPTER 24.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE THIRD CONGREGATIONAL SOCIETY IN PORTSMOUTH IN THIS STATE IN-TO A SOCIETY BY THE NAME OF THE "INDEPENDENT CONGREGATIONAL SOCIETY IN PORTSMOUTH"—

[Approved June 17, 1796. Original Acts, vol. 15, p. 28; recorded Acts, vol. 10, p. 6.]

Whereas a petition has been preferred to the General Court by certain persons being a Committee of the third Congregational Society in Portsmouth in said State, setting forth, that they suffer many inconveniences by reason of their not being incorporated and praying that said Society may be incorporated into a society by the name of the "Independent Congregational Society in Portsmouth" with all the privileges and immunities necessary or incident to a religious Parish or Society and be enabled to hold lands & buildings purchased by said Society, the prayer of Which Petition appearing Reasonable, Therefore,

Be it enacted by the Senate & House of Representatives in General Court convened, That the aforesaid Society be and they hereby are incorporated and formed into a body politic and corporate by the name of the Independent Congregational Society in Portsmouth, with all the privileges and immunities necessary and incident to a religious parish or Society with power to hold all lands & buildings which have been or may be purchased or built by said Society and all Grants and endowments heretofore made, or that hereafter may be made said Society, with full power and authority to sue for and recover in the name of the standing committee of said society for the time being any real or personal property belonging to said Society, of any person or persons who already have or hereafter may have any such Property in his or their hands or possession and to do and transact all and every Act that any Parish may or by Law can do within this State—

And Be it further enacted, that it shall & may be lawful for the committee of said Society for the time being to make sale of the Pews in the meeting-house of said Society, of any owners who are delinquent in paying such taxes as shall be assessed on the Polls or Pews, at Public Vendue, returning the overplus if any there be to the owner or owners— which owner or owners if they reside in the Town of Portsmouth shall be first notified either personally or by a notification posted up in some public Place in said Town, of the time & place of such sale at least thirty days prior to said Sale—

And be it further enacted, That the annual meeting of said Society for chusing parish officers & transacting other necessary business be holden on the first Thursday in May to be notified and warned according to Law by the Committee for the time being, and the said society are hereby empowered at any annual meeting to agree upon the method of calling any other meeting that may be thought necessary— and Samuel Drowne is hereby authorised and empowered to call a meeting of said Society for the purpose of chusing necessary & customary officers for said society giving notice of the time place & design of said meeting fifteen days prior to said Meeting by posting up a notification for that purpose, & the said Samuel Drowne is to preside in said meeting until a moderator shall be chosen

[CHAPTER 25.]

State of }
New Hampshire. }

AN ACT FOR LAYING A TAX ON THE LANDS IN THE TOWN OF MIDDLETON—

[Approved June 17, 1796. Original Acts, vol. 15, p. 29; recorded Acts, vol. 10, p. 9.]

Whereas a petition has been presented to the Legislature by a number of the Inhabitants of Middleton in the County of Strafford, stating that there are large tracts of Land in said Town which are unsettled, that there are a number of Roads, which are much out of Repair, & that the inhabitants of said Town being few are unable to bear the expence of such Repairs as are necessary to render the same convenient for travellers; and praying that a Tax of four cents per acre may be laid on all the lands in said Town in order to defray the Cost of mending & repairing the public highways in said Town; The prayer of which Petition the Legislature are willing to grant so far as to allow a tax of three Cents per acre to be laid on all the lands in said Town for the purpose above mentioned,—Therefore,

Be it enacted by the Senate & House of Representatives in General Court convened; That there be and hereby is granted for the

Purpose aforesaid a tax of three cents per acre on each and every acre of Land in said Town, public rights excepted,

And Be it further enacted, That said Tax shall be levied and collected on all the lands in Middleton aforesaid, public lands excepted, in the same way and manner as non resident State and County Taxes are collected, except that it shall not be requisite to leave a list with the receiver of Nonresident taxes, & except as is hereinafter directed—

And Be it further enacted That the Selectmen of said Middleton for the time being, be and they hereby are authorised and empowered to assess on all the lands in said Town, three cents per acre in one tax bill and to collect and apply the same to the purpose aforesaid; and any proprietor or owner of Lands taxed as aforesaid may pay his or their proportion of said Tax in labour to be performed on the public Roads in said Town; And there shall be allowed six cents for every hour's actual labour performed by an able bodied man, finding his own diet & the same price per Yoke for oxen—And the said Selectmen shall give bond to the Clerk of the Court of Common Pleas for the County of Strafford for the faithful performance of their trust, which bond shall be for the use of the owners of the land so taxed— Provided nevertheless that said labour shall be performed between the first day of July & the first day of October; and two months notice shall be given said proprietors either personally or by advertising the list of taxes with the sums, the names of the Grantees, & the number and the Range of the lots in the New Hampshire Gazette, & in some paper printed in the County aforesaid, & also posted up in some public place in said Middleton the same term of time previous to which said labour is to be performed — And the same time shall be allowed for redemption of Lands sold by Virtue of this Act as Nonresidents are entitled to by law—

[CHAPTER 26.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT INTITLED AN ACT IN ADDITION TO AND ALTERATION OF AN ACT INTITLED AN ACT IMPOWERING THE SELECTMEN OF BARNSTED IN THE COUNTY OF STRAFORD TO ASSESS AND LEVY ON THE LANDS IN SAID BARNSTEAD TWO PENCE ON EACH ACRE FOR THE PURPOSE OF REPAIRING THE BRIDGE OVER SUNCOOK RIVER AND ALSO CERTAIN HIGHWAYS IN SAID TOWN

[Approved June 17, 1796. Original Acts, vol. 15, p. 30; recorded Acts, vol. 10, p. 13. The act referred to is dated January 15, 1794, recorded Acts, vol. 8, p. 231. See act of June 16, 1792, id., vol. 6, p. 536.]

Whereas the Inhabitants of the town of Barnstead have Petitioned the General Court setting forth that in June 1792 an act passed the Legeslature Granting a tax of two pence per acre on all the lands in said Barnstead for the purpose of Building a Bridge across suncook river and for repairing public Highwaise in said Town but by reason of said acts not allowing but sixty pounds to be laid out on said bridge the assessment was not made that in January 1794 an act passed the General Court allowing ninety pounds to be expended on said Bridge and a further time of two years was by said additional act allowed for Compleating the business accordingly the assessment was made but by reason of a major part of the persons who were appointed to superintend said work refusing to accept the trust the said tax has not been collected and the time for doing the business haveing expired they prayed that some other persons might be appointed instead of those who declined, and a further time of two years be again allowed for doing said work which appearing reasonable—

Therefore Be it Enacted by the senate and house of Representatives in General court convened that Charles Hodgden Esq and Lieu^t Benjamin Nutter be and they hereby are authorized and impowered to superintend and carry on said work in Stead of Capt John Nutter & M^r Samuel Nelson who have declined doing said Business And that a Further time of two years from the passing this act be allowed in addition to the time allowed by Said additional act for Compleating the Business any thing in any of the aforesaid acts to the Contrary Notwithstanding—

[CHAPTER 27.]

State of }
New Hampshire. }

AN ACT TO DECLARE THE USE OF FINES & FORFEITURES WITHIN
THIS STATE—

[Approved June 17, 1796. Original Acts, vol. 15, p. 31; recorded Acts, vol. 10, p. 15. Laws, 1805 ed., p. 238; id., 1815 ed., p. 279; id., 1830 ed., p. 155.]

Be it enacted by the Senate and House of Representatives in General Court convened, That all Fines and Forfeitures arising or becoming due upon Judgment of any State Court within this State, upon any conviction, Forfeitures of Recognizances, or otherwise, shall be deemed and taken to belong to, and be appropriated for the Use of the County where the Offence shall be committed and tried, or Forfeitures estreated, And that all Fines & Forfeitures having been received & not paid over by any State Court, Justice of the Peace or other civil officer within this state, shall by them be paid over to the County Treasurer for the use of the County as before directed,—

And Be it further enacted, that when it so happens, that any recognizance may be forfeited, in any such Court, taken on Complaint or otherwise, where any sum or sums, might by Conviction of the Principal, become due to any Complainant or other person interested in the Prosecution of the Principal, that it shall be in the power of such Courts respectively to ascertain the just sum and costs that might be due to such complainant or Person so interested, & make order that such part of the forfeiture be paid him or them as will satisfy the same,

Provided always, that this Act shall not alter the appropriation of any Fines or Forfeitures made or declared in and by any Act or Law of this State, where the same is expressly given to this State or to any Town within the same, or to any particular use prescribed in said Act, any law, Custom or usage to the Contrary thereof notwithstanding—

[CHAPTER 28.]

State of }
New Hampshire. }

AN ACT FOR LAYING A TAX ON THE LANDS OF DANBURY

[Approved June 17, 1796. Original Acts, vol. 15, p. 32; recorded Acts, vol. 10, p. 17. See additional act of December 7, 1798, recorded Acts, vol. 11, p. 212.]

Whereas Anthony Taylor and others have petitioned the General Court representing. that the roads and bridges in Danbury are out of repair and that the inhabitants are unable so to amend them as to accommodate the public; and prayed for a land tax to be laid on all the lands in said Town to be appropriated and laid out on the public road leading from Concord in the County of Rockingham to Dartmouth College in the County of Grafton. Which prayer appearing to be reasonable. Therefore—

Be it enacted by the Senate and House of Representatives in General Court convened. That the Selectmen of said Danbury in said County of Grafton be and they hereby are empowered to assess a tax of two Cents per acre upon all lands in said Town, except the public lands, for the purpose of making and repairing the said road leading from Concord to Dartmouth College, to be assessed in one tax-bill.

And be it further enacted, That the Selectmen who shall assess said Tax mentioned in this Act, are hereby directed to make out a warrant for the collection thereof to the Collector of the Town for the time being, who shall levy and collect the same with incidental charges, from the lands of any delinquent owner or owners by sale of such part or parts thereof as shall be sufficient to discharge the same, after giving six weeks notice thereof, and also of the time and place of such intended sale, in the New-Hampshire Gazette, and in the Dartmouth Centinel, or some paper printed in said County of Grafton, also posted up in said Town the same term of time previous to such intended sale. And the Collector of said Taxes is hereby authorized to make good and valid conveyances of such land so sold, saving the same time for the redemption thereof as non-resident proprietors are, or there may be, by law entitled to. And be it further enacted. That the monies so raised in Danbury aforesaid, shall be applied solely to the purposes herein mentioned, by the said Selectmen, and for the performance whereof they shall give bond to the Clerk of the Court of Common pleas in said County of Grafton.

Provided nevertheless, that the owners or proprietors of Lands in said Town, or any person or persons in their behalf, shall have liberty to pay their proportion of the assessments aforesaid in work

to be done on said road between the first day of May and the first day of October, for which purpose they shall have two months notice given them by said Selectmen, either personally or in writing, or in such way as the collector is directed in this act to give notice in case of sale of the lands previous to the time in which the work is to be done.

And be it further enacted. That the owners and proprietors who shall work out said tax shall be allowed six Cents and no more for every hours actual labor performed by an able bodied man finding his own diet and tools—

And for ox work and tools necessary to accomplish the business by this act intended such sums shall be allowed as the Selectmen may direct and order.

[ORDERS, RESOLVES AND VOTES OF A LEGISLATIVE NATURE PASSED DURING THIS SESSION.]

1796, June 8.

The Committee to take under consideration the Resolves of Virginia respecting alterations in the Federal Constitution Reported the following resolve (viz)

Resolved that any alterations in established forms of Government ought never to be attempted but for the most important reasons—That our present state of peace & general prosperity render it unnecessary at this time to concur with the Legislature of Virginia in their proposed amendments of the Federal Constitution— which report was read and considered received and accepted—

[House Journal, 1794-99, p. 285. Senate Journal, 1791-6, p. 482.]

1796, June 10.

The Committee appointed to consider the proposals of John Melcher respecting his printing the Laws reported— That the said Melcher be authorized to print all the Laws of this State now in force and the public Acts of this Session together with the constitution of this State and the United States in a handsome Octavo volume to be neatly bound and lettered, and provided the General Court think proper to take two hundred and fifty of said Books—the said Melcher will furnish them with the Same at two Dollars each, but should said Court conclude to take the number of four hundred of said Books the printer will supply them with the same at one Dollar and fifty cents And that the Secretary be directed to furnish said Melcher with attested copies of said Laws— that the Legislature appoint some suitable person to inspect the press while said Laws are printing which report being read and considered— voted that it be received and accepted and that the General Court agree to take four hundred of said Books and that Nathanael Adams Esq^r be and hereby is appointed to inspect the press while said Laws are printing—

[House Journal, 1794-99, p. 289. Senate Journal, 1791-6, p. 488.]

1796, June 16.

The Committee to consider of the Petition of Hezekiah Parsons and others Inhabitants of the upper district in this State, reported that the prayer thereof be granted and that they have leave in future to Send two Representatives (viz) The Towns of Northumberland Stratford & Piercy be classed for the purpose of Sending one Representative and the first meeting shall be in Northumberland— And that Stuart town Shelburne Colebrook Cockburne & Wales Location be classed for the purpose of Sending one representative & that the first meeting be in Stuart town— which report being read and considered voted that it be received and accepted—

[House Journal, 1794-99, p. 305. Senate Journal, 1791-6, p. 503.]

1796, June 17.

Resolved that the vote which passed the General Court June 9th 1791 for granting a bounty of Seven shillings for every piece of topsail duck or other Stouter sail cloth manufactured in this state be and the same is hereby considered as being no longer in force—

[House Journal, 1794-99, p. 311. Senate Journal, 1791-6, p. 504.]

[*Second Session, Held at Concord, November 23, 24, 25, 26, 28, 29, 30; December 1, 2, 3, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 1796.*]

[CHAPTER 1.]

State of }
New Hampshire. }

AN ACT ALTERING THE TIME OF HOLDING THE ANNUAL TOWN MEETING IN THE TOWN OF SHARON IN THE COUNTY OF HILLSBOROUGH—

[Approved December 2, 1796. Original Acts, vol. 15, p. 33; recorded Acts, vol. 10, p. 188.]

Whereas a petition hath been preferred by the Selectmen of said Town of Sharon for and in behalf of the Inhabitants of said Town, showing the necessity of altering the time of holding the annual Town meeting in said Sharon, from the third Monday of March, to the first Tuesday of the same month, which prayer appearing reasonable—Therefore—

Be it Enacted by the Senate & House of Representatives in General Court convened, that from & after the passing of this Act, the time of holding the annual Town meeting in said Town of Sharon shall be on the first Tuesday of March, in stead of the third Monday thereof, any thing in the Charter or Incorporation of said Town to the contrary notwithstanding.

[CHAPTER 2.]

State of }
New Hampshire. }

AN ACT TO SET OFF & ANNEX A PART OF FISHERSFIELD IN THE
COUNTY OF HILLSBOROUGH TO BRADFORD IN SAID COUNTY.

[Approved December 6, 1796. Original Acts, vol. 15, p. 34; recorded Acts, vol. 10, p. 127.]

Whereas a number of Inhabitants of the South part of Fishersfield in the County of Hillsborough have presented to The General Court of this State a Petition desiring that so much of said Fishersfield be set off and annexed to the Town of Bradford in said County as will make a straight line from the South West corner of Sutton in said County, to the South West corner of said Fishersfield, and having obtained a Vote of both towns therefor, & praying that an Act of Incorporation may be passed for that purpose— Therefore—

Be it Enacted by The Senate and House of Representatives in General Court convened that so much of The Town of Fishersfield be set off & annexed to the Town of Bradford aforesaid, as will make a straight line, Beginning at the South West corner of the Town of Sutton in said County, and running to the South West corner of said Fishersfield; and that the said tract of land, so intended to be set off and annexed as aforesaid, with the Inhabitants and their Estates within the same, shall be deemed to belong to, and as Inhabitants of said Town of Bradford, The Inhabitants of said Fishersfield so set off and annexed Paying all taxes already assessed on their poles and estates, and the State and County taxes hereafter assessed, to the said Town of Fishersfield until a new valuation shall be made by this State. And the said Inhabitants and their Estates, so annexed, shall be entitled to all the liberties, privileges & immunities of said Town of Bradford, any incorporation of said Fishersfield to the contrary notwithstanding.—

[CHAPTER 3.]

State of }
New Hampshire. }

AN ACT TO ASCERTAIN AND DETERMINE THE TIME WHEN AN ACT INTITLED "AN ACT FOR THE LIMITATION OF ACTIONS AND PREVENTING OF VEXATIOUS SUITS," PASSED JUNE 16TH 1791 TOOK EFFECT—

[Approved December 6, 1796. Original Acts, vol. 15, p. 35; recorded Acts, vol. 10, p. 181. Laws, 1797 ed., p. 470; id., 1805 ed., p. 137; id., 1815 ed., p. 166. See acts of June 18, 1798, id., p. 168; June 14, 1799, id., p. 168; December 30, 1799, id., p. 168; June 19, 1805, id., p. 169; June 22, 1814, id., p. 170. Repealed by the act of June 20, 1797, id., p. 167.]

Whereas doubts have arisen respecting the time when said Act took effect—

Therefore

Be it Enacted by the Senate and House of Representatives in General Court convened, that said Act shall not be considered as having taken effect until the fifteenth Day of September, in the year one thousand seven hundred and ninety two, any particular expression in the aforesaid Act to the contrary notwithstanding

[CHAPTER 4.]

State of }
New Hampshire. }

AN ACT VESTING IN NATHAN CASWELL OF LITTLETON IN SAID STATE, THE EXCLUSIVE PREVELIGE OF KEEPING A FERRY OVER A CERTAIN PART OF CONNECTECUTT RIVER AT SAID LITTLETON.—

[Approved December 6, 1796. Original Acts, vol. 15, p. 36; recorded Acts, vol. 10, p. 190.]

Whereas Nathan Caswell of Littleton in this State, hath petitioned the General Court, representing; That for the convenience of the public, it is necessary to have a Ferry established by law, and kept at said Littleton, and prayed for the exclusive prevelege to be by law, vested in him his Heirs and Assigns; And upon a public hearing, the prayer of said Caswell appearing reasonable.

Be it Enacted by the Senate and House of Representatives in General Court convened: That the sole and exclusive privilege of keeping a ferry, or ferry's over Connecticutt River begining at Halls brook which is on the westerly side of the River, against said Littleton, and extending up said River to Cow brook on the easterly side of said River: Be and hereby is granted to, and vested in said Caswell his Heirs and Assigns forever: And the said Caswell shall;

within twelve months, give bond to the Justices of the Court of Common pleas for the County of Grafton, that said Ferry shall, at all seasonable times, be well attended: And the Justices of said Court are impowered and directed to state the fees, subject, however, to alterations upon application to said Court, or to the Superior Court.

And if any other person shall, for hire or reward, transport over said River, within the limits aforesaid, any person, creature or thing, the person offending shall forfeit and pay a fine of six Dollars for each offence and costs of prosecution, upon action of Debt, in any Court proper to try the same, and this Act may be given in evidence.—

Provided nevertheless; That this Act shall not be construed to prevent the General Court, upon application, at any time hereafter, from granting liberty to said Caswell, his Heirs or assigns, or to any other person or persons, as may seem most proper, the privilege of building a Bridge or Bridges across the said River, within the limits aforesaid.—

[CHAPTER 5.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE CONGREGATIONAL SOCIETY IN HAMPTON—

[Approved December 6, 1796. Original Acts, vol. 15, p. 37; recorded Acts, vol. 10, p. 193.]

Whereas the Church and Congregational Society in Hampton in the County of Rockingham in said State have petitioned the General Court representing that they were conscientiously of the Congregational persuasion which has been the established denomination among the Inhabitants of said Town ever since the first settlement thereof until very lately when an unhappy dissention arose upon which the Minor part of the Church & major part of the Inhabitants professing themselves to be Presbyterians called and settled in said Town a Minister of that denomination to which settlement the petitioners being near two thirds of the Church & more than one third of the Inhabitants dissented—

That the dissentients were desirous of worshipping God & of enjoying the ordinances of the Gospel agreeably to the dictates of their own consciences and in a corporate capacity of contracting with & settling a Minister of their own choice & persuasion Wherefore they prayed to be erected into a distinct Parish, the prayer of which petition after due notice given & mature consideration had, appearing to be consonant to the spirit of the Constitution and unalienable Rights of Men— Therefore—

Be it Enacted by the Senate & House of Representatives in General Court convened that the Petitioners viz^t Samuel Dow, John Lamprey, Morris Hobbs, Simon Marston, Ephraim Marston, Jeremiah Marston, James Philbrick, Jonathan Lock John Dow, Moses Brown, Joseph Philbrick Junior, Samuel Mace, Josiah Dearborn, Joseph Palmer, Amos Knowles Abraham P. Towle, Benjamin B. Shaw, Jonathan Garland, Daniel Weare, Abner Page, John Batchelder, James Philbrick Jun^r, Moses Perkins, Nathan Brown, Nathaniel Johnson, Samuel Drake, Josiah Mason, Stephen Marston, Joseph F. Dearborn, Samuel Sandborn, Samuel Philbrick, Samuel Page, Simon Lane, Samuel Blake, Daniel Marston, Elisha Towle, Elisha Moulton, James Lane, Reuben Dow, Samuel Palmer, Joseph Mace, Elisha Marston, Jonathan Godfrey Jun^r, David Lamprey, Samuel Philbrick Jun^r, Jacob Marston, Nathaniel Lock, Phinehas Felch, Daniel Lamprey Jun^r, Jeremiah Hobbs, John Perkins, John Brown, Simon Lane Junior Asahel Marston, Joseph Redman, Simeon Shaw, John Redman, Simon Brown, Samuel S. Page, Joseph Dow Christopher Toppan, John Green, Zaccheus Brown Jeremiah Knowles, Joseph Towle, Moses Shaw, Joshua Mace, Josiah Dow, David Philbrick, Elisha Towle Junior, Daniel Brown, Elisha Brown, Isaiah Dow, Samuel Marston, Simeon Blake, Reuben Lamprey, Tristram Godfrey, Josiah Marston, Joseph Palmer Junior, Joseph Leach & Ephraim Marston, with such others as may hereafter become Members of said Society be & Hereby are Erected into a Body politic & corporate with continuance & succession forever by the name of The Congregational Society in Hampton, and that the persons aforementioned with such as may belong to the same Parish be enfranchised and invested with all such rights, privileges & immunities as any other Parish within this State hold & enjoy, saving that the Members of said Parish shall Join with the Inhabitants of said Town in the election of Officers for the State, County & Town of said Hampton, and in transacting all Town affairs.

And Be it further Enacted that all persons now Inhabitants of said Hampton, or who may in future become Inhabitants thereof may at any time hereafter become Members of said Society, by entering their names with the Clerk of said Parish and signifying their desire to belong to the same, shall be deemed Members thereof & entitled to all the privileges & subjected to all the burdens of said Parish in common with the Parishioners of said Society— And Joseph Dow Esquire of said Hampton is hereby authorized to call and preside at the first meeting of said Parishioners for the choice of all necessary and customary Officers, giving fourteen days notice of the time, place and design thereof, And the officers, so chosen, shall be vested with similar powers with like Officers in any other Parish in this State, And the annual Meeting of said Parishioners shall be held in future on the Second tuesday of March, and other meetings at such times as occasion may require—

[CHAPTER 6.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT TO INCORPORATE A COMPANY BY THE NAME OF THE PROPRIETORS OF THE NEW HAMPSHIRE TURNPIKE ROAD,"—

[Approved December 7, 1796. Original Acts, vol. 15, p. 38; recorded Acts, vol. 10, p. 202. The act referred to is dated June 14, 1796, Laws, 1797 ed., p. 325.]

Whereas by said Act John Hale Esq^r was vested with the sole power of calling the first Meeting of said proprietors and has deceased without exercising said power— therefore.—

Be it enacted by the Senate & House of Representatives in General Court convened that Arthur Livermore, Isaac Waldron, John Goddard, Thomas Leavitt, William Hale or either of them be empowered to call said first Meeting by giving notice thereof in the manner prescribed by said Act.—

[CHAPTER 7.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE TOWNSHIP OF COCKERMOUTH INTO A TOWN BY THE NAME OF GROTON—

[Approved December 7, 1796. Original Acts, vol. 15, p. 39; recorded Acts, vol. 10, p. 209.]

Whereas Edmund Shattuck and David Hale Select Men of Cocker-mouth have petitioned the General Court Representing that the Inhabitants of said Town in Townmeeting unanimously manifested their desire that the Name of said Town should be altered, and prayed that said Town be Incorporated by the name of Groton, which appearing Reasonable

Be it Enacted by the senate and house of Representatives in General Court conveyed; That all that tract of land and waters contained in the Charter of said Cocker-mouth Excepting that part of said Town which was heretofore set off to Hebron with the Inhabitants who now do, and hereafter may Reside thereon, be and hereby are Incorporated into a Town by the Name of Groton to have continuance and Succession forever— And the Selectmen and Collectors to be appointed by the Inhabitants of Groton are hereby empowered, and it shall be their Duty to levy, collect and pay all taxes

due from said Cockermouth in as full and ample manner as though this had not been Made

Provided Nevertheless that all Officers now in Office in said Cockermouth shall have the same power to transact all business Relating to their said Officers in as full and ample manner as though this act had Not passed—

[CHAPTER 8.]

State of }
New Hampshire. }

AN ACT TO REPEAL AN ACT ENTITLED AN ACT FOR ALTERING REPAIRING & MAKING FIT FOR THE PASSING OF CARTS & WAGGONS THE ROAD FROM THE TOWN OF CONWAY TO THE UPPER COOS; AND ALSO FOR CUTTING A NEW ROAD FROM THE SAID ROAD WHICH IS NOW USED TO THE TOWN OF GUNTHTWAITE, OR TO THE TOWN OF LITTLETON FORMERLY CALL'D APTHORP—

[Approved December 8, 1796. Original Acts, vol. 15, p. 40; recorded Acts, vol. 10, p. 85. The act repealed is dated September 22, 1786, Laws of New Hampshire, vol. 5, p. 196.]

Be it Enacted by the Senate and House of Representatives in General Court Convened That the Act entitled An Act for altering repairing & making fit for the passing of Carts & Waggons, the Road from the Town of Conway to the Upper Coos; and also for cutting a new Road from the said Road which is now used, to the Town of Gunthwaite, or to the Town of Littleton formerly call'd Apthorp be, & the same hereby is repealed—

And be it further Enacted that all persons who have sold Lands pursuant to said Act, & for the purposes therein mentioned shall on or before the first day of April next render an Account of their Sales, & expenditures on said Road to Oliver Peabody John Goddard & Ephraim Robinson Esq^{rs} who are hereby authorized to adjust the Account or Accounts so rendered, & directed to lay the same before the General Court at the next Session thereof—

[CHAPTER 9.]

State of }
New Hampshire. }

AN ACT FOR INCREASING THE TOLL OF WHITE RIVER FALLS BRIDGE—

[Approved December 8, 1796. Original Acts, vol. 15, p. 41; recorded Acts, vol. 10, p. 166. See acts of June 20, 1792, recorded Acts, vol. 6, p. 541, and January 21, 1794, id., vol. 8, p. 238.]

Whereas the Proprietors of White River falls Bridge in said State have Petitioned the General Court, representing that they had the present year, in consequence of an Act of said Court passed in June Anno Domini one thousand seven hundred and ninety two erected a convenient Bridge over Connecticut River within the limits prescribed in, and by said Act, that by reason of the unexpected rise of labour, provisions and materials necessary to complete such a work, the expence of building said Bridge had far exceeded their calculations and that the rates of Toll, as established by said Act were altogether inadequate for reimbursing the said Proprietors the monies they had expended in building said Bridge Wherefore they prayed that some addition might be made to the said rates of Toll, for the purpose aforesaid—

The prayer of which petition, upon examination appearing to be just and reasonable—Therefore—

Be it enacted by the Senate and House of Representatives in General Court convened that a Toll be and hereby is Granted to said Proprietors according to the following rates in stead of that granted to them in and by their said Act of incorporation to wit for every foot passenger two Cents, for every horse and rider, five Cents,—for each horse and Chaise, Chair or Sulkey twelve and an half Cents,—for each Sleigh drawn by one Beast eight Cents— for each slagh drawn by more than one beast twelve and an half Cents— for each Coach, Phaeton, Charriot, or other four Wheeled Carriage for passengers thirty Cents— for each Curricule twenty five Cents— for each Cart or other wheel Carriage of Burden drawn by one beast eight Cents— for each Cart or other wheel carriage of Burden drawn by two beasts fifteen Cents for each Cart or other wheel Carriage of burden drawn by three beasts twenty cents— for each Cart or other wheel carriage of burden drawn by four beasts twenty five Cents— for every additional beast above four, four Cents— for each sled drawn by one beast five Cents for each sled drawn by two beasts ten Cents— for each sled drawn by three beasts fifteen Cent— for each sled drawn by four beasts twenty Cents for every additional beast above four, four Cents— for each horse, mule, or jack exclusive of those rode on three Cents— for each neat Creature not belonging to a team two Cents, for each sheep or swine half a Cent—

And be it further enacted that the foregoing rates of Toll, shall, at the end of every five years, from the time of first passing over said Bridge be under the control of the Justices of the superior Court—and it shall be the duty of the Proprietors to exhibit to the said Justices of the superior Court a true account of their annual income and expenditures to that time under forfeiture of the privileges granted by this act and the said Justices are hereby Authorized to take Cognizance of the same and make said alterations in the said rates of toll so that the net annual income of said Bridge shall at no time after exceed twelve per centum per annum—

[CHAPTER 10.]

State of }
New Hampshire. }

AN ACT FOR INCREASING THE TOLL OF CORNISH BRIDGE

[Approved December 8, 1796. Original Acts, vol. 15, p. 42; recorded Acts, vol. 10, p. 160. See acts of January 14, 1795, recorded Acts, vol. 9, p. 86, and June 16, 1796, id., vol. 10, p. 26.]

Whereas the Proprietors of Cornish Bridge in Said State have petitioned the General Court representing that they had in pursuance to an Act of Said Court passed in January Anno Domini One thousand Seven hundred and ninety five erected a Bridge over Connecticut River from Cornish to Windsor that in Consequence of the unexpected rise of labour provisions and the Materials necessary for such a work the expence of building Said Bridge had increased to a Sum far beyond their expectations and that the Rates of Toll as now established by said Act were wholly inadequate to reimburse the Petitioners the money by them expended in building Said Bridge— Wherefore they prayed that some addition might be made to the said Rates of Toll for the purpose afforesaid—

The prayer of which petition upon examination appearing to be reasonable— Therefore—

Be it enacted by the senate and house of Representatives in General Court convened that a Toll Be and hereby is granted to Said Proprietors according to the following rates in stead of that granted to them in and by their said Act of Incorporation to wit for every foot passenger two Cents for every horse and rider six Cents and a quarter—for each horse and Chaise Chair or Sulkey twelve and one half Cents for each Sleigh drawn by one beast eight Cents for each Sleigh drawn by more than one beast twelve and a half Cents for each Coach Phaeton Chariot or other four wheeled Carriage for passengers thirty Cents for each Curricle twenty five Cents for each Cart or other wheel Carriage of burden drawn by one beast eight

Cents for each Cart or other wheel Carriage of burden drawn by two beasts fifteen Cents for each Cart or other wheel Carriage drawn by three Beasts twenty Cents for each Cart or other wheel Carriage of burden drawn by four beasts twenty five Cents—for every additional beast above four four Cents for each Sled drawn by one beast five Cents for each Sled drawn by two beasts ten Cents for each Sled drawn by three beasts fifteen Cents and for each Sled drawn by four beasts twenty Cents and for every additional beast above four four Cents for each horse Jack or mule exclusive of those rode on three Cents—for each Neat Creature not belonging to a team two Cents for each sheep or Swine half a Cent

And be it further Enacted that the forgoing Rates of Toll shall at the end of every five Years from the time of first passing over Said Bridge be under the Controul of the Justices of the superior Court and it shall be the duty of the proprietors to exhibit to the Said Justices of the Superior Court a true account of their Annual income and expenditures to that time under forfeiture of the priveledges granted by this Act and the Said Justices are hereby authorized to take Cognizance of the same and make such alterations in the Said Rates of Toll so that the nett annual income of Said Bridge Shall at no time after exceed twelve per Centum per Annum—

[CHAPTER 11.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE A PLACE CALLED DARTMOUTH IN THE COUNTY OF GRAFTON

[Approved December 8, 1796. Original Acts, vol. 15, p. 43; recorded Acts, vol. 10, p. 183.]

Whereas a petition has been preferred by the Proprietors and Inhabitants of said place, praying to be Incorporated, which prayer appearing reasonable, Therefore.—

Be it Enacted by the Senate and House of Representatives in General Court convened—That the aforesaid place, be and hereby is erected and Incorporated into a Township by the name of Jefferson—Containing all the lands and bounds as set forth in the Grant or Charter thereof, dated the Twenty-sixth day of June AD one thousand seven hundred and seventy two.—

And the Inhabitants of said place are hereby erected into a body politic and corporate, and invested with all the powers and infranchised with all the rights, priveledges and immunities which any other Town in this State holds and enjoys, to hold to said Inhabitants and their Successors forever— And John Marden, or in case of his death, other disability, or refusal, Jonas Baker, is hereby

authorized to call the first meeting of said Inhabitants to choose all necessary and customary Town officers, giving fourteen days notice of the time, place and design of such meeting— And the officers then chosen shall hereby be invested with all the powers of such officers in any other Towns in this State.—

And every other meeting which shall be annually holden in said Town for that purpose, shall be on the second Tuesday of March forever.—

[CHAPTER 12.]

State of }
New Hampshire. }

AN ACT TO ENABLE JOSIAH STUART OF KENSINGTON IN THE COUNTY OF ROCKINGHAM & STATE OF NEW HAMPSHIRE, SON OF DAVID STUART, LATE OF SAID KENSINGTON DECEASED, TO ASSUME & USE THE NAME OF CHARLES INSTEAD OF HIS CHRISTIAN NAME JOSIAH

[Approved December 8, 1796. Original Acts, vol. 15, p. 44; recorded Acts, vol. 10, p. 204.]

Whereas the said Josiah Stuart hath Petitioned this Court setting forth, that in early life he was Recorded on the Town Book by the name of Josiah; but his relations preferring the name of Charles usually called him by that name; and that in Boston, where he now resides, he is known generally by the name of Charles; and praying that he may in future legally assume the name of Charles instead of Josiah—

Be it therefore enacted by the Senate and House of Representatives in General Court convened, that from and after the First day of January One thousand seven hundred and ninety seven, the said Josiah Stuart be, and he is hereby enabled and empowered to assume and take on himself the name of Charles instead of his Christian name Josiah; and that by the name and Sur-name of Charles Stuart and by no other names, after the said first day of January next, he be named and called— And by the said names of Charles Stuart, after the said First day of January next, he is hereby fully empowered and enabled to act, transact and execute business;— And all matters and things that shall be done and executed by for or against him, after the said First day of January next, by the name of Charles Stuart, shall be, and are hereby declared good and valid, any Law usage or custom to the contrary notwithstanding—

[CHAPTER 13.]

State of }
New Hampshire. }

AN ACT TO RESTORE ABEL LEARNED TO HIS LAW IN AN ACTION
 BROUGHT AGAINST HIM & DELIVERANCE SAWYER.

[Approved December 8, 1796. Original Acts, vol. 15, p. 45; recorded Acts, vol. 10, p. 206.]

Whereas Abel Learned of a place called Cockburn in the County of Grafton in said State— Hath petitioned the General Court, and, among other grievances stating, that on the twelfth day of November in the year of our Lord one thousand seven hundred and ninety five, he was committed to Gaol in said County upon an Execution in favor of Jonathan Warner of Hadley in the County of Hampshire and Commonwealth of Massachusetts, for the sum of three hundred and twenty four Dollars and eighteen cents; which issued from the Court of Common pleas holden at Charlestown in the County of Cheshire on the fourth Tuesday of September, one thousand seven hundred and ninety five, against him and one Deliverance Sawyer, by Default; And prayed to be restored to his law: And, on a public hearing upon said petition, it appearing reasonable that the said Learned and Sawyer, or either of them as the nature of the action may require, should have an opportunity of pleading to and defending against said Action.

Be it Enacted by the Senate and House of Representatives in General Court convened—

That the said Learned and Sawyer, or either of them on whom the writ was served, on which the said Judgment was rendered; Be and hereby are authorised, to reenter said Action at the Court of Common pleas to be holden in said County of Cheshire, and plead to said Action in the same manner as though no default had taken place— And the Justices of said Court are hereby authorised and directed to hear, try and render Judgment therein & thereupon in the same manner as they might & ought to have done had no Default taken place in said Action: Provided that said Action be entered within six months from the passing this Act— And, Provided also, that Benjamin West Esq^r Attorney to said Warner, be served with a copy hereof, at least, thirty days before the day of the session of said Court of Common pleas, at which said Action is to be entered and defended: And the trial which may be had by virtue of this Act, shall be considered to operate in the same manner as trials upon review.

[CHAPTER 14.]

State of }
New Hampshire. }

AN ACT TO REPEAL A CERTAIN CLAUSE IN AN ACT PASSED IN THE YEAR OF OUR LORD ONE THOUSAND SEVEN HUNDRED AND NINETY ONE INTITLED AN ACT TO INCORPORATE A CERTAIN TRACT OF LAND INTO A TOWNSHIP BY THE NAME OF GOSHEN—

[Approved December 8, 1796. Original Acts, vol. 15, p. 46; recorded Acts, vol. 10, p. 211. The act referred to is dated December 27, 1791, Laws of New Hampshire, vol. 5, p. 815. See act of June 22, 1797, recorded Acts, vol. 10, p. 225.]

Whereas Allen Willey and others inhabitants of Goshen have preferred a petition to this Court praying that a clause in an Act intituled an Act for incorporateing a Town by the name of Goshen empowering the Select men of Lempster to Assess the inhabitants of that part of Goshen which is taken from Lempster their proportionable part of the Reverend M^r Elias Fishers Salary so long as he shall continue to be the Minister of said Lempster may be repealed and haveing obtained the consent of said Lempster for that purpose and the prayer of Said petition Appearing reasonable—

Therefore Be it enacted by the Senate and House of Representatives in General Court convened that the following clause or paragraph of the said Act of incorporation of Goshen (viz) That the inhabitants of Goshen liveing on that part of said Town which is taken from the said Town of Lempster shall be liable to pay their proportionable part of taxes towards the Reverend M^r Fishers Salary annually so long as he shall continue to be the Minister of said Lempster and the Selectmen of said Lempster are hereby authorised to tax them Accordingly and the Constables and Collectors for Said Lempster shall have the same power to collect said taxes from said Inhabitants as though this Act had not been passed. Be and the same is hereby repealed—

Provided nevertheless that this Act shall not take effect nor be in force till the inhabitants of that part of said Goshen which was taken from said Lempster shall have paid up all Arrearages of taxes now made up Against them for the payment of the said M^r Fishers Salary—

[CHAPTER 15.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE A COMPANY BY THE NAME OF THE PROPRIETORS OF WATER QUEECHEE FALLS CANAL—

[Approved December 8, 1796. Original Acts, vol. 15, p. 47; recorded Acts, vol. 10, p. 213.]

Whereas a petition has been presented to the General Court representing that y^e Locking Canaling and rendering navigable for boats water queechee falls in Connecticut River would be of great publick utility; It was therefore prayed by the petitioners, that they & their associates might be incorporated a body Corporate for the purpose afores^d, with such powers under such limitations, and with such Tolls as might be thought proper which prayer being reasonable—

Be it enacted by the Senate and house of Representatives in General Court convened that Joseph Kimball and Perez Gallup and their associates and Successors be and hereby are Incorporated & made a Body Corporate and politic forever under the name of y^e Proprietors of Waterqueeche Falls Canal, and by that name may sue and prosecute, and be sued and prosecuted to final Judgement and execution, and shall be and hereby are vested with all the powers and privileges which by law are incident to Corporations of a similar nature And Be it further enacted that Joseph Kimball Esq^r be and he hereby is empowered to call the first meeting of said Proprietors giving notice thereof by advertisement posted up at some public place in the Towns of Plainfield and Hartland at least fourteen days Prior to the day of s^d meeting; but if through neglect or refusal of the said Kimball, or from any other cause whatever the said meeting should not be called within thirty days after the passing of this act the same may be called by Perez Gallup in manner as is above prescribed— And the proprietors by a vote of a majority of those present or represented at said meeting accounting and allowing one vote to each share in all cases shall choose a Clerk who shall be sworn to the faithfull discharge of s^d office and shall also agree on a method of calling future meetings and at the same time or any subsequent meetings may elect such officers and make & establish such rules and by laws as to them shall seem necessary or convenient for the Regulation and government of said Corporation for carrying into effect y^e purposes aforesaid, and for collecting the Tolls herein after established; and the same by laws may cause to be executed and annex penalties to the breach thereof provided the said Rules and by laws are not repugnant to the Constitution and Laws of this State: and all representations at any meeting of said

Corporation shall be proved by writing, Signed by the person to be represented, which shall be filed by the Clerk, and this act and all rules by laws, regulations, and proceedings of said Corporation shall be fairly & truly recorded by the Clerk in a book or Books provided and kept for that purpose—

And be it further enacted that the proprietors afores^d be, and they hereby are invested with the Exclusive right of cutting a canal, locking and Rendering said Falls Navigable for boats and Rafts, and are like invested with every power and every privilege necessary to carry the same into effect— provided that nothing herein contained shall be construed to authorise said proprietors to raise such obstructions as shall prevent the passage of Masts & loose mill Logs down the river as heretofore—

And be it further enacted that for the purpose of Reimbursing said Proprietors the monies by them to be expended in locking and rendering said falls Navigable, and for keeping the same in repair, a Toll is hereby granted to them their associates and Successors according to y^e following rates, (viz;) For each boat passing throug said Locks loaded or not loaded, as Tunage reckoning the same according to the weight it will carry, five Cents per Ton; For every Ton weight of goods, wares and Merchandize; transported by boat and not exceeding five Tons;—Ten Cents, for every additional Ton of said Goods above five, Six Cents; For every thousand of Clapboards, Eight Cents; For every thousand of Shingle, Two Cents; For every Ton of timber, Six Cents; For every thousand of boards, Twelve Cents; and for every kind of lumber not particularly specified to be rated in proportion to boards—

And be it further enacted that if in four years from the passing of this act the s^d Locks and Canal are not Completed according to the true spirit and meaning of this act every part and clause thereof shall be null and void—

And be it further Enacted that at the expiration of every Seven years from the time of compleating said Locks it shall be the Duty of s^d Proprietors to exhibit to the Justices of the Superior Court or to such other Tribunal as the legislature may hereafter appoint a true account of the Sums expended by them in erecting maintaining and repairing said Locks and the amount of Toll received to that time under forfeiture of the privileges of this Act in future and the said Justices of the Superior Court are hereby empowered to take cognizance of the same and make such alterations in the rate of Toll as they may see fit provided that y^e Same shall not exceed twelve per Cent annually on the same that shall have been expended

[CHAPTER 16.]

State of }
New Hampshire. }

AN ACT, ALTERING AND AMENDING AN ACT, "ENTITLED AN ACT FOR TAXING LANDS IN THE TOWN OF LITTLETON" AND ALSO ALTERING AND AMENDING AN ACT, "ENTITLED AN ACT FOR TAXING LAND IN TOWN OF DALTON IN THE COUNTY OF GRAFTON," BOTH OF WHICH ACTS WERE PASSED ON THE FIRST DAY OF JANUARY ANNO DOMINI 1796.

[Approved December 9, 1796. Original Acts, vol. 15, p. 49; recorded Acts, vol. 10, p. 104. The acts referred to may be found in recorded Acts, vol. 9, pp. 287, 291.]

Whereas, in and by said Act the select men of said Town of Littleton were authorized by virtue of said Acts, to assess three cents P^r Acre on all the lands in said Littleton and Dalton, public rights excepted, and to collect and apply the same, for the purpose of making roads and bridges in said Littleton and Dalton, as is, therein mentioned; and whereas, said select men of Littleton do unreasonably neglect and refuse to assess and collect the aforesaid taxes, on the aforesaid lands, to the verry great injury and inconvenience of the public; and whereas in and by said Act for taxing lands in said Dalton Lieutenant Walter Bloss and M^r Moses Blake, both of said Dalton, were appointed a committee for the purpose of inspecting the work which was to be done on said roads, in said Dalton, and to account with said select-men of Littleton for all monies accruing by virtue of said Act; they giving bond to the Clerk of the Court of Common Pleas for the County of Grafton, for the Faithful performance of their trust according to the true intent and meaning of said Act, and whereas, said Blake and Bloss refuse to give said bond to said Clerk as aforesaid, unless some other person be joined with them and invested with equal power with them—

Therefore, Be it enacted by the Senate and House of Representatives in General Court convened, that Ebenezer Pingree, Joseph W. Morse, and Samuel Learned Jun^r, all of Littleton aforesaid, be, and they hereby are authorized and invested with all the powers of assessing collecting and applying said taxes granted in and by the afore-mentioned Acts, which were vested by said Acts in said selectmen of Littleton;—and the Committees who were in and by said Acts directed to account with said selectmen, are hereby directed and authorized to account with said Pingree, Morse, and Learned, in the same way and manner as they were to account with said selectmen; according to the true intent and meaning of said Acts.—

And be it further enacted, that Nathaniel White Esq^r of Lancaster in the County of Grafton be and he hereby is appointed and

added to the aforementioned committee for inspecting the work which is to be done by virtue of said Tax, on said lands, in said Dalton; he giving bond jointly with said Blake and Bloss, to the Clerk of the Court of Common Pleas for the County of Grafton; according to the true intent and meaning of said Act.—

And be it further enacted, that all the power and authority which were vested in the said select-men of Littleton by virtue of the afore mentioned Acts for taxing lands in Littleton and Dalton, be, and the same hereby are repealed.—

[CHAPTER 17.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED “AN ACT TO INCORPORATE CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER MERRIMAC RIVER BETWEEN BUTLER’S FERRY (SO CALLED) AND CONCORD SOUTH LINE AND FOR SUPPORTING THE SAME” PASSED JANUARY 16TH 1795—

[Approved December 9, 1796. Original Acts, vol. 15, p. 50; recorded Acts, vol. 10, p. 133. The act referred to is in recorded Acts, vol. 9, p. 121.]

Whereas the Proprietors of Concord Bridge have petitioned The General Court representing that the Bridge which they had built over Merrimac river was at the time of passing said Act estimated at ten thousand dollars but by reason of the rise of labour, provisions and Materials had actually cost them more than thirteen thousand dollars and that the rates of Toll established by their said Act of incorporation had proved but a small compensation for the money by them expended in building said bridge— Wherefore they prayed that the present rates of Toll might be raised upon such articles and in such proportion as upon examination might appear Just—

The prayer of which petition appearing reasonable— Therefore—

Be it Enacted by the Senate and House of Representatives in General Court convened that the said Proprietors Be, and hereby are authorized and empowered to demand, receive & collect the following rates of toll upon the articles herein after mentioned, in stead of the Rates affixed to said articles in, and by their said Act of incorporation, to wit, for each horse & rider four Cents, for each riding sleigh drawn by one horse six Cents, for each riding sleigh, drawn by more than one horse, ten Cents— for each Cart, or other carriage of burden drawn by two beasts, fourteen Cents, and three Cents for every additional beast; any thing in the said former Act to the contrary notwithstanding.

[CHAPTER 18.]

State of }
New Hampshire. }

AN ACT FOR TAXING LAND IN THE TOWNSHIP OF LYMAN—

[Approved December 9, 1796. Original Acts, vol. 15, p. 51; recorded Acts, vol. 10, p. 136.]

Whereas a Petition has been presented by Samuel Young Esq^r in behalf of the Inhabitants of the Town of Lyman shewing the necessity of laying a Tax upon all the lands in said Town publick Rights excepted for the purpose of making and repairing roads and Bridges in said Town, and praying that a Tax upon the Lands as aforesaid of three Cents per acre might be granted for the aforesaid purpose which prayer appearing reasonable

Therefore

Be it enacted by the Senate and House of Representatives in General Court convened,—That the Selectmen of the Town of Lyman for the time being be and they hereby are inpowered to assess a tax of three Cents per acre upon each and every acre of land in said Lyman publick rights excepted for the term of one year which tax when raised to be applied to the purpose of making Roads and Bridges in said Town and repairing the same

And be it further enacted that the Selectmen who shall assess said tax mentioned in this Act are hereby directed to make out a warrent for the collection of the same and the collector to whom said warrent shall be committed shall levy and collect the same with incidental charges from the lands of any delinquant owner or owners by sale of such part or parts thereof as shall be sufficient to discharge the same after giving six weeks notice thereof and also of the time and place of such Intended sale in the New Hampshire Gazette and in the Dartmouth Centinal or some paper printed in the County of Grafton also posted up in said Town of Lyman the like term of time previous to such Intended sale,—And the Collector of said Taxes is hereby authorised to make good and Valid conveyances of such land so sold saving the same time for the Redemption thereof as non-resident proprietors are by law for the sale of Lands for state and County taxes entitled to—

And be it further enacted that the monies so raised in Lyman aforesaid shall be applied solely to the purpose herein mentioned by said Selectmen they giving Bond to the Clerk of the Court of Common pleas in said County for the due appropriation and application of all monies and taxes that shall be assessed levied and collected in virtue of this act

Provided nevertheless that the owners or proprietors of land in said Town shall have liberty to pay their proportion of the assessments aforesaid in work to be done on said roads and bridges be-

tween the first day of May and the first day of October for which purpose they shall have two months notice given them by said Selectmen of said Town either personally or in such way and manner as the Collector is directed in this act to give notice in case of Sale of lands previous to the time in which said work is to be done And that the owners and proprietors who shall work out said Tax, shall be allowed six cents and no more for every hours actual labor performed by an able bodied man finding his own diet

[CHAPTER 19.]

State of }
New Hampshire. }

AN ACT FOR GIVING A SIRNAME TO HENRY, SON OF SALLY MUNROE—

[Approved December 9, 1796. Original Acts, vol. 15, p. 52; recorded Acts, vol. 10, p. 164.]

Whereas Sally Munroe of Winchester in the County of Cheshire and State aforesaid Singlewoman hath Petitioned The General Court, for, and on behalf of her son Henry, representing that the said Henry was an illegitimate Child, born out of lawful wedlock & consequently, not entitled by the Laws of the Land to any Sirname whatever— Wherefore She prayed that an Act might be passed to designate the said Henry by some proper Sirname, which he might lawfully take and bear in future—

The prayer of which petition appearing reasonable Therefore, Be it Enacted by the Senate & House of Representatives in General Court convened— that the said Henry be, and Hereby is, authorized and empowered to take, use and bear the sirname of Smith—in future. And the said Henry shall, from and after the passing of this Act, be named and called in all legal proceedings by the Name of Henry Smith any Law, Usage or Custem to the contrary notwithstanding.

[CHAPTER 20.]

State of }
New Hampshire. }

AN ACT, GRANTING A TAX ON LANDS IN THE TOWN OF STUART, IN THE COUNTY OF GRAFTON, FOR MAKING ROADS AND BRIDGES—

[Approved December 9, 1796. Original Acts, vol. 15, p. 53; recorded Acts, vol. 10, p. 198.]

Whereas, a petition has been presented to the General Court, by the Inhabitants of Stuart, shewing the necessity of laying a Tax upon all the lands, in said Stuart, for the purpose of making and

repairing the public roads and bridges therein, and praying a Tax of two pence per acre upon all the lands in said Town might be granted, for the purpose aforesaid, to be assessed and collected within one year, which prayer appearing reasonable:

Be it enacted by the Senate an House of Representatives in General Court convened. That there be and hereby is granted for the purposes aforesaid, for the term of one year, a Tax, on all the lands in said Town of Stuart, of three Cents per acre; public rights excepted

And be it further enacted, that said Tax shall be levied and collected on all the lands in said Stuart, except as before excepted; in the same way and manner, as by Law State and County Taxes are collected; except leaving the list thereof with the collector of non-resident Taxes, and except as is hereafter directed.—

And be it further enacted, that the Select men of said Stuart are authorized by virtue of this Act to assess, on all the lands in said Town public rights excepted, three cents per acre, collect and apply the same for the purposes aforesaid. And any proprietor or proprietors may pay his or their Tax in labor on the public roads and bridges in said Town, under the direction of said Select men, and there shall be allowed in all cases, six cents per hour, and no more, for an able bodied man finding his own diet; and for ox work at the same price per Yoke; and said Select men shall give bond to the Clerk of the Court of common pleas, for the County of grafton, for the faithful performance of their trust.—Provided nevertheless, that the labor shall be performed between the first day of April and the last day of October, and two months notice shall be given the proprietors, either, personally or by advertisement in the Newhampshire Gazette, and in some paper printed in said County of Grafton, and also by posting up a copy thereof the same term of time in the most public place in said Town; and the same term of time shall be allowed as by law is allowed for the redemption of non-resident lands sold for State and County Taxes.—and the sale of lands for the payment of any of said Taxes shall be at some public place in said Town of Stuart and the same mode and term of time for completing the sales shall be pursued and allowed, as by law is allowed in selling lands for the payment of non-resident, State and County Taxes.

[CHAPTER 21.]

State of }
New Hampshire. }

AN ACT FOR TAXING LAND IN THE TOWN OF LANCASTER.

[Approved December 9, 1796. Original Acts, vol. 15, p. 54; recorded Acts, vol. 10, p. 218.]

Whereas a petition has been presented by James Williams in behalf of the Town of Lancaster in the County of Grafton in said State, showing the necessity of laying a Tax upon all the Lands in said Town, public Lands excepted, for the purpose of making and repairing public roads and bridges in said Town; and praying that a tax upon all lands as aforesaid of three pence per acre might be granted for the aforesaid purposes, which prayer appearing reasonable.

Be it therefore enacted by the Senate and House of Representatives in General Court convened, that there be, and hereby is granted for the aforesaid purposes, a tax of four cents per acre on each and every acre of land in said Town, public Lands excepted,

And be it further enacted, that said tax shall be levied and collected on all Lands in said Town, except as aforesaid, in the same way and manner as by law Non-Resident State and County taxes are collected, except leaving the list with the receiver of non resident taxes, and except as is hereinafter directed; and the same time shall be allowed for the redemption of Lands sold by virtue of this Act, as non resident proprietors are by Law entitled to.—

And be it further enacted, that the Selectmen of said Lancaster, for the time being, are authorized by virtue of this act, to assess on all Lands in said Town, public Lands excepted, four cents per acre, and to collect the same for the purposes aforesaid, under the following restrictions and directions, to wit, that the money or labor which shall accrue by virtue of this act, shall be divided into three equal parts, and expended on the following roads: one third part in repairing the main river road from Dalton line to Israel's river bridge; one third part in repairing the main road from said Israel's river Bridge to the line of Dartmouth, it being the main road to Portsmouth; and the other third part to be appropriated for the purpose of opening, clearing and bridging a road from said Israel's river bridge on the easterly side of said river, to the line of said Town which adjoins a certain gore or tract of land commonly called Barker's Location; in that rout which said Selectmen shall think most eligible; and any proprietor may pay his proportion of said tax in labor to be performed on said roads and bridges in said Town, under the direction of said Selectmen, and they shall be allowed six cents and no more for every hour's actual labor performed by an

able bodied man finding his own diet, and for ox work the same price per yoke

And the said Select men shall give bond to the Clerk of the Court of Common Pleas of the County of Grafton for the faithful performance of their Trust—

Provided nevertheless that said labor shall be performed between the first day of May and the first day of October; and two months notice shall be given the said proprietors for said purpose either personally or by advertising the list of said taxes, with the sums the names of the owners or grantees, and the number and range of lots, in the Newhampshire Gazette, and in some paper printed in said County of Grafton, and also posted up in some public place in said Town of Lancaster the same term of time previous to which said work is to be performed

[CHAPTER 22.]

State of }
New Hampshire. }

AN ACT FOR TAXING THE LANDS AND BUILDINGS OF NONRESIDENTS—

[Approved December 10, 1796. Original Acts, vol. 15, p. 55; recorded Acts, vol. 10, p. 169. Laws, 1797 ed., p. 451; id., 1805 ed., p. 219; id., 1815 ed., p. 264. See acts of December 15, 1796, Laws, 1797 ed., p. 456; December 30, 1803, id., 1805 ed., p. 224; December 21, 1808, id., 1815 ed., p. 268; December 23, 1808, id., p. 269; June 25, 1816, id., 1824 ed., p. 20; June 29, 1818, id., p. 21; July 4, 1829, id., 1830 ed., p. 563.]

Be it Enacted by the Senate and House of Representatives in General Court convened That the improved lands & buildings of Nonresident owners shall hereafter be taxed in the respective Towns and places where such lands are situated, their equal proportion with Residents in all assessments made for the support of the public Highways and Schools and in all Town taxes, except for the support of the Gospel, and the building of houses of public worship, and repairs thereof, to be collected in the same manner as the Law now points out for the collection of State and County taxes—

And Be it further enacted, that the unimproved lands of Non-residents, public lands excepted, shall hereafter be taxed in the respective Towns and places their equal proportion of all State and County taxes and assessments made for the support of public highways, Provided always that the Tax on the unimproved lands of Nonresidents for the support of public Highways shall not in any one year exceed the sum of fifty Cents on every hundred Dollars of the appraised value of said Lands which appraisement shall be made by the Selectmen and be in the same manner and proportion as the Law now points out for appraising the unimproved Lands of the

Residents to be assessed and collected in manner following to wit, The Selectmen or Assessors in their respective Towns & places shall make out in writing under their hands and deliver the same to the several Collectors on or before the thirtieth day of May annually a list of all such assessments and insert therein the name of the owner, if known, otherwise the name of the original Proprietor, and the number of acres taxed, and the number of the lot and Range; and the proportion of each Assessment to each lot or tract of Land taxed shall be set against said lot or tract of Land in the list aforesaid. And if any building of a Nonresident shall be taxed, the number of the lot, or other description of the land whereon it stands shall be mentioned, in said list— And if the name of the owner and the original Proprietor of any land be unknown, the quantity of Land, the number of the Range and Lot, if lotted, otherwise such description of the land taxed, as it is usually known by, being inserted in said List shall be a sufficient description of said land—

And Be it further enacted that each Nonresident taxed as aforesaid in any Town or place in this State shall at any time from the making of said Highway-tax to the first day of September in the same year have liberty to pay said Tax in labour at the rate of six Cents per hour for an able-bodied Man finding his own tools and diet; which labour shall be done under the direction of either of the Selectmen of the Town where said labour is to be done, whenever the said Nonresident shall tender the same to the said Selectman within the time limited for that purpose—

And Be it further Enacted that every Collector of said Taxes shall on or before the eighth day of the next Session of the General Court after the assessments of such taxes, deliver to the Deputy Secretary, for the time being a copy of his list of all such Taxes made out as aforesaid, signed by the Selectmen of the town or place for which he is collector—And the said Deputy Secretary shall for the inspection of all persons concerned keep said list during the remainder of said Session at the place where said Court shall be holden, and afterwards until the first day of September next following the said Session, in the town where he shall reside, And it shall be the duty of the said Deputy Secretary whilst said Lists shall be in his hands to receive of any Non-resident his proportion of said taxes, & give his receipt in discharge of the same to the said Nonresident who shall pay to the said Deputy Secretary for his trouble at the rate of ten per Cent, on the sum paid by the said Nonresident to the said Deputy Secretary for taxes— And the said Deputy Secretary shall at any time after the said first day of September on application made to him by a Collector of any of the taxes aforesaid, or by his order, return to said Collector a Copy of his List aforesaid, and the money which he shall have received thereon, taking said Collector's receipt for the same— And after the said first day of September, any of said Collectors who may have received copies of their lists

from said Deputy Secretary shall publish a notification in the New-hampshire Gazette, and also in some Newspaper published in the County where the land is situated, if any such paper be printed in said County, otherwise in some adjacent County, and a similar Advertisement posted up in some public place in the Town or place where the lands lie, three weeks successively commencing eight weeks prior to the day of Sale that so much of such delinquent owner's estate will be sold at public Vendue as will be sufficient to pay his said Taxes with incidental charges, unless prevented by previous payment— And the said Notification shall contain the same description of the land taxed as this Act required should be made in the Lists aforesaid; also the time and place of sale— And if any of said owners shall neglect to pay their proportion of said Taxes with incidental charges until the time of Sale the said Collector shall then sell at public Auction to the highest bidder, so much of each delinquent's estate as will pay said Taxes with incidental charges: Provided that every sale by virtue of this Act shall be made in the Town or place where the property sold shall be situated; and between the hours of ten of the Clock in the forenoon and Six of the Clock in the afternoon of the same day, and if necessary, the sale may be adjourned from day to day not exceeding three days, by public proclamation made within the hours aforesaid at the place of sale—And no person shall be holden to pay any part of the Cost which shall accrue at said Auction after the tender of the payment of his own taxes with his proportion of the cost which shall have accrued before such tender—

And Be it further Enacted that if any more than one person shall be interested in any lot or tract of land, each one may pay his proportion of taxes according to his Interest in said land, & the share of the delinquent only shall be sold—

And Be it further Enacted that each Nonresident his heirs or Assigns shall have the liberty of redeeming his land sold as aforesaid at any time within one year from the sale thereof by paying or tendering to the Collector his Executor or Administrator, or in their absence, by tendering at the usual place of abode of said Collector, his Executor or Administrator a sum of money equal to that for which said land was sold with Interest for the same until the time of payment or tender as aforesaid— And it shall be the duty of said Collector to deliver to the Clerk of the Town where the land lies an attested Copy of the Sale of lands by him sold in virtue of this Act with the charges of sale within ten days after the sale thereof to be by him kept on file— And in case of absence of said Collector his Executor or Administrator on tender being made at his usual place of abode as aforesaid, said Nonresident shall give information thereof to said Town Clerk before the time of Redemption expires, who shall without delay record the same in his Office, and said Nonresident shall leave the money so tendered with said

Town Clerk, for the use of said Collector, at the time of giving such information—And it shall be the duty of said Collector, his Executor, or Administrator on payment or tender as aforesaid, or of the Town Clerk on the money being left with him to give said Nonresident a full discharge therefor by receipt under his hand— And in case of the money being received by the Town Clerk as aforesaid, he shall be paid therefor by said Nonresident ten per Cent on the amount of the money so received—

An Be it further Enacted that when two or more persons are interested in any lot or tract of land which shall be hereafter Sold for the payment of Taxes made by virtue of this Act, every Individual may redeem his own part thereof, by paying or tendering his proportion of the Taxes and Cost for which the said Land was sold, in the same manner that all the owners of such land may redeem their land sold as aforesaid by Jointly paying the whole sum necessary to be paid for the redemption of the same, and the said proportion shall be made according to the number of Acres in the lot or tract of Land sold—

And Be it further Enacted, that when any estate of Nonresidents shall relate to assessments made by any Town or place on the unimproved land of Nonresidents, for the payment of State & County taxes, be & they hereby are repealed.—

Provided nevertheless, that nothing herein shall affect the Collection of any taxes heretofore made by virtue of any Acts hereby repealed. Provided also, that it shall be the duty of the Deputy Secretary, the Town Clerks and Collectors, to receive from any person, when tendered in behalf of himself or any other person whomsoever, in the manner & at the times before pointed out in this Act, the taxes assessed by virtue thereof, & Interest and Cost thereon, if any; any thing in this Act to the contrary notwithstanding.—

And Be it further Enacted, that it shall be the duty of the Selectmen or Assessors of the several Towns and places in this State, to see that all monies arising by virtue of this Act, for the support of Public highways, be duly & seasonably appropriated agreeably to the true intent and meaning thereof.—

[CHAPTER 23.]

State of }
New Hampshire. }

AN ACT TO DIRECT THE MODE OF APPOINTMENT OF DEPUTY-SHERIFFS
WITHIN THIS STATE AND OF THEIR DISMISSION FROM OFFICE—

[Approved December 13, 1796. Original Acts, vol. 15, p. 56; recorded Acts, vol. 10, p. 108. Laws, 1797 ed., p. 467; id., 1805 ed., p. 121; id., 1815 ed., p. 142.]

Be it Enacted by the Senate and House of Representatives in General Court convened that all deputations or appointments of Deputy-Sheriffs in the several Counties within this State shall be in writing under the hands and seals of the Sheriffs of the respective Counties for and within which they are or may be appointed—

And Be it further Enacted that it shall be the duty of each and every Deputy Sheriff within this State to make oath before some Justice of the peace for and within the County for which such Deputy-Sheriff is or may be appointed, faithfully to discharge the duties of his office, which oath shall be certified by said Justice upon such deputation, and the same deputation with the certificate thereon shall be recorded at full length by the Clerk of the Court of Common Pleas in the same County, and it shall be the duty of such Clerk upon request made and payment or tender of twenty five Cents to record the same as aforesaid in a Book or Books to be by him kept for that purpose—

And Be it further Enacted that from and after the fifteenth day of September next no service or act of any Deputy-Sheriff, as such, within this State shall be valid or of force until his deputation or appointment with the certificate thereon shall have been recorded as aforesaid—

And Be it further Enacted that when any Sheriff of any County in this State shall see cause to discharge from office any Deputy by him deputed or appointed, such Sheriff shall by writing under his hand and Seal directed to such Deputy notify him thereof, which notification or discharge shall be served by some other Deputy-Sheriff or credible person within such County, by reading the same to the said Deputy therein named or giving an attested copy thereof to such Deputy so discharged, which said discharge and service thereof shall be recorded in like manner and for the same fee as in this Act is prescribed for the recording of deputations—

And Be it further Enacted that the Sheriff in each County respectively shall in all respects be responsible for the Acts, malfeasance, misfeasance, and Nonfeasance of each of his Deputies respectively until such discharge and certificate of the service thereof shall have been recorded as aforesaid—

Provided Nevertheless that a service and return of any legal Precept may be made by any person by virtue of a special deputation endorsed on the back of such Precept in manner and form as has heretofore been in practice in this State, any thing in this Act to the contrary notwithstanding—

[CHAPTER 24.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO, AND ALSO TO MAKE PERPETUAL, "AN ACT TO ENLARGE THE CIVIL JURISDICTION OF JUSTICES OF THE PEACE WITHIN THIS STATE, AND DIRECTING CONSTABLES IN CERTAIN CASES TO SERVE WRITS AND OTHER LAWFUL PRECEPTS" PASSED FEBRUARY 21ST AD. 1794

[Approved December 13, 1796. Original Acts, vol. 15, p. 57; recorded Acts, vol. 10, p. 118. Laws, 1797 ed., p. 465; id., 1805 ed., p. 73; id., 1815 ed., p. 509. The act referred to is printed in Laws, 1797 ed., p. 63. Repealed June 22, 1810, id., 1815 ed., p. 65.]

Whereas in and by said Act it is provided that the same should continue and be in force three years, from the passing thereof, and to the end of the next session of the General Court & no longer—
Therefore—

Be it Enacted by the Senate & House of Representatives in General Court convened that said Act and every clause thereof continue to be in force in the same way and manner, as if no limitation had been made—

And Be it further Enacted that no action shall be commenced at any Court of Common pleas in this State (except where title of real estate is in Question) wherein the Sum demanded shall not exceed the sum of thirteen dollars and thirty three Cents—any law, Usage or Custom to the contrary notwithstanding—

[CHAPTER 25.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT REGULATING PROCESS AND TRIALS IN CIVIL CAUSES"—

[Approved December 13, 1796. Original Acts, vol. 15, p. 58; recorded Acts, vol. 10, p. 124. Laws, 1797 ed., p. 465; id., 1805 ed., p. 95; id., 1815 ed., p. 108. The act referred to is dated February 9, 1791, Laws of New Hampshire, vol. 5, p. 621. See also the acts of December 11, 1792, Laws, 1797 ed., p. 96; June 21, 1797, id., 1805 ed., p. 96; November 5, 1813, id., 1815 ed., p. 109.]

Whereas in said Act there is no mode provided, after the service of a writ, and before trial, whereby the Defendant can oblige the

Plaintiff to settle his action, which tends greatly to encrease the Cost in civil causes—

For remedy whereof—Be it Enacted by the Senate and House of Representatives in General Court convened, that, at any time before the sitting of any Court, to which any writ shall be returnable, or at any time before Judgment shall be rendered thereon, any Defendant, who shall make application to the Plaintiff's attorney, who brought the action, and actually tender to him the amount of the debt and the lawful Costs that may have arisen, such tender shall be a Bar to any further process, any usage or Custom to the contrary notwithstanding—

[CHAPTER 26.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT FOR THE EASE AND RELIEF OF PERSONS IMPRISONED FOR DEBT PASSED FEBRUARY ONE THOUSAND SEVEN HUNDRED AND NINETY ONE.—

[Approved December 13, 1796. Original Acts, vol. 15, p. 59; recorded Acts, vol. 10, p. 142. Laws, 1797 ed., p. 465; id., 1805 ed., p. 130; id., 1815 ed., p. 156. The act referred to is printed in Laws of New Hampshire, vol. 5, p. 704. See act of June 13, 1796, Laws, 1797 ed., p. 145, and act of November 30, 1803, id., 1805 ed., p. 130. This act (December 13, 1796) is repealed by the act of June 16, 1807, id., 1815 ed., p. 157.]

Be it enacted by the Senate and House of Representatives in General court convened, That from and after the passing of This Act, any Debtor who shall take the Oath prescribed in said Act, shall be discharged, Unless The creditor, (or Some Other person for him) pay The prison keeper weekly one dollar and twelve Cents per week, for the Support and maintenance of Such Debtor. Any law to the Contrary Notwithstanding—

[CHAPTER 27.]

State of }
New Hampshire. }

AN ACT FIXING THE TIME WHEN THE INTEREST ON STATE NOTES, BILLS OF THE NEW EMISSION AND OTHER EVIDENCES OF DEBT, SHALL CEASE—

[Passed December 15, 1796, without the approval of the Governor. Original Acts, vol. 15, p. 60; recorded Acts, vol. 10, p. 100. Laws, 1797 ed., p. 470; id., 1805 ed., p. 213.]

Be it Enacted by the Senate and House of Representatives in General Court convened that the Interest on all State Notes, Bills

of the new-emission, and every other evidence of debt due from this State, cease from and after the thirty first day of July next; And that the Treasurer, in all payments for State notes, Bills of the New-emission, and other evidences of debt, govern himself accordingly—

[CHAPTER 28.]

State of }
New Hampshire. }

AN ACT TO RELINQUISH THE RIGHT OF THIS STATE TO GRAVEL ISLAND IN CONNECTICUT RIVER.—

[Approved December 15, 1796. Original Acts, vol. 15, p. 61; recorded Acts, vol. 10, p. 87.]

Whereas Nathan Willard of Hinsdale in the County of Cheshire husbandman has preferred to the Legislature a petition, praying for a grant of a certain small Island, called Gravel Island, in Connecticut river; which Island, though of inconsiderable value to the State, would greatly convene the said Nathan.— The prayer of which petition the Legislature are willing to grant so far as to relinquish the right of the State to said Island.—

Be it therefore enacted by the Senate & house of Representatives in General Court convened, That the said Gravel Island be, & hereby is given & granted to the aforesaid Nathan Willard his heirs & assigns forever; and the property thereof, with all the privileges and appurtenances to the same belonging, is hereby vested in the said Nathan in manner aforesaid.

Provided always, That this act shall not extend, nor be construed to extend so far as to affect, injure, or interfere with any former grant of the aforesaid Island, which may have been made to the said Town of Hinsdale.—

[CHAPTER 29.]

State of }
New Hampshire. }

AN ACT ESTABLISHING THE TIMES AND PLACES FOR HOLDING THE SUPERIOR COURTS, AND COURTS OF COMMON PLEAS—

[Approved December 15, 1796. Original Acts, vol. 15, p. 62; recorded Acts, vol. 10, p. 90. Laws, 1797 ed., p. 468; id., 1805 ed., p. 77.]

Be it Enacted by the Senate & House of Representatives in General Court convened, that the Superior Court of Judicature for the County of Rockingham be holden at Portsmouth on the first tues-

day of february & at Exeter on the third tuesday of September annually—And the Superior Court of Judicature for the County of Strafford shall be holden at Dover on the fourth tuesday of february & on the first tuesday of September annually— And the Superior Court of Judicature for the County of Hillsborough shall be holden at Hopkinton on the first tuesday of May and at Amherst on the first tuesday of October annually— And the Superior Court of Judicature for the County of Cheshire shall be holden at Charlestown on the third tuesday of May and at Keene on the third tuesday of October annually— And the Superior Court of Judicature for the County of Grafton shall be holden at Plymouth on the first tuesday of June and at Haverhill on the first tuesday of November annually—

And the Court of Common Pleas for the County of Rockingham shall be holden at Portsmouth on the first tuesday of January And at Exeter on the second tuesday of August annually— And the Court of Common pleas for the County of Strafford shall be holden at Rochester on the third tuesday of January & at Gilmantown on the third tuesday of August annually— And the Court of Common pleas for the County of Hillsborough shall be holden at Amherst on the last tuesday of March And at Hopkinton on the first tuesday of September annually— And the Court of Common pleas for the County of Cheshire shall be holden at Keene on the first tuesday of April, and at Charlestown on the fourth tuesday of September annually— And the Court of Common pleas for the County of Grafton shall be holden at Haverhill on the first tuesday of March, and at Plymouth on the first tuesday of September annually—

And Be it further Enacted that all actions, pleas, indictments, informations complaints, appeals, petitions, libels, writs, venires, inquests, Recognizances, verdicts & processes of what name or nature soever now pending in said Courts respectively, or returnable to or sustainable by, the same shall be returned to, sustained by, tried, adjudged and finally determined in said several Courts respectively, to which they rightfully & properly appertain, at the times & places by this Act fixed for holding said Court, in the same manner as if this Act had not been passed; it being the true intent & meaning of the same, not in any way to affect said processes—

And Be it further Enacted that all Laws now in force for establishing the times and places for holding the Superior Courts, and Courts of Common pleas, so far as respects the times & places of holding the same be, and they hereby are repealed— And this Act shall take effect & be in force from and after the first day of January next and not sooner—

[CHAPTER 30.]

State of }
New Hampshire. }

AN ACT TO ESTABLISH THE FEES OF COLLECTORS IN THE SALE OF
NONRESIDENT LANDS FOR TAXES—

[Approved December 15, 1796. Original Acts, vol. 15, p. 63; recorded Acts, vol. 10, p. 95. Laws, 1797 ed., p. 456; id., 1805 ed., p. 223; id., 1815 ed., p. 270. See act of December 10, 1796, id., 1797 ed., p. 451.]

Be it Enacted by the Senate & House of Representatives in General Court convened that the fees of the several Collectors in this State in the sale of Nonresident lands for taxes shall be as follow, to wit, for going to the Deputy Secretary for the Copy of the list from thence to the place where the advertisements for sale are to be printed & returning home five Cents per Mile, for advertising in the County paper & in the town one dollar, for making the sale one dollar per day & the same sum for a Clerk— for each deed made and executed to purchasers twenty five Cents, the sums of money actually paid to the printers, and the Deputy Secretary for the copy of the list shall also be a legal charge: And it shall be the duty of each Collector to make out an equal proportion of the Cost taxed as herein before directed to each lot or tract of land sold or advertised as aforesaid.

And Be it further Enacted that if any Collector shall demand or take any greater fee or fees for any of the services mentioned in this Act, he or they shall forfeit and pay the sum of five dollars to the person suing therefor, to be recovered by Action of Debt in any Court proper to try the same, besides being liable to an Action of damage by & for the party injured to recover back the sum or sums so unlawfully taken—

[CHAPTER 31.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT INTITLED “AN ACT TO INCORPORATE
CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER
MERRIMACK RIVER IN THE COUNTY OF HILLSBOROUGH AND FOR
SUPPORTING THE SAME”—

[Approved December 15, 1796. Original Acts, vol. 15, p. 64; recorded Acts, vol. 10, p. 112. The act referred to is dated June 16, 1792, recorded Acts, vol. 6, p. 533. An act of the same title as that of 1792 was passed January 7, 1795, but it referred to a different bridge.]

Whereas, the Proprietors of Amoskieg Bridge have petitioned the General Court setting forth that they had built said Bridge at great

expende and that the present rates of toll had fallen far short of compensating them for the money expended in building the same—and praying that said Toll might be increased which appearing reasonable therefore.

Be it enacted by the Senate and House of Representatives in General Court convened, that the said Proprietors be and hereby are empowered to demand & receive the following rates of Toll upon the articles hereafter mentioned instead of the Rates heretofore allowed by said Act, namely for each horse & rider four cents for each riding Sleigh drawn by one horse Six cents, for each riding Sleigh drawn by more than one horse ten cents for each cart or other Carriage of burden drawn by two Beasts fourteen cents and three cents for each additional Beast—

[CHAPTER 32.]

State of }
New Hampshire. }

AN ACT TO IMPOWER HANNAH RUNNELLS & THOMAS RUNNELLS TO CONVEY CERTAIN LANDS & BUILDINGS, SITUATE IN HOLLIS & DUNSTABLE IN THE COUNTY OF HILLSBOROUGH IN THEIR CAPACITY OF EXECUTORS TO THE ESTATE OF EBENEZER RUNNELLS, DECEASED, AGREEABLY TO HIS BOND FOR THAT PURPOSE—

[Approved December 15, 1796. Original Acts, vol. 15, p. 65; recorded Acts, vol. 10, p. 114.]

Whereas Hannah Runnells & Thomas Runnells, both of Haverhill in the County of Essex & common Wealth of Massachusetts, Executors of the last Will and Testament of Ebenezer Runnells of said Haverhill, Blacksmith, deceased, Have presented a Petition to the general Court of this State, Setting forth that the said Ebenezer Runnells on the Twelvth day of May, anno Domini, one Thousand, seven hundred & ninty five, by his Bond of that date, duly executed, bound himself, his Heirs, Executors & Administrators to one Jonas Marshall of Fitchburg in the County of Worcester, Physician, in the sum of Six hundred Pounds for Performance of the Conditions, in said Bond contained, viz to convey to the said Jonas Marshall in Fee simple, on or before the sixth day of May, one thousand Seven hundred & ninty six a certain Piece or Parcell of Land, containing about two hundred acres, lying partly in the Towns of Hollis & Dunstable aforesaid, that the said Ebenezer died without Executing any Deed or Conveyance to the said Jonas of the Premises, intended to be conveyed & for which he in his Life Time, received Part Payment that the said Jonas is willing to pay, the Residue of the sum agreed on, to the said Hannah & Thomas in their Capacity, should

they be authorised to convey the Premises aforesaid, Praying the general Court to enable them to fulfill the Condition of said Bond & empower them in their said Capacity to convey said Premises with the Buildings thereon, to the said Jonas Marshall, his Heirs and assigns, in Fee simple, The Prayer of which said Petition appearing reasonable, Therefore

Be it enacted by the Senate & House of Representatives in general Court convened, that the said Hannah Runnells and Thomas Runnells, in their Capacity of Executors, are hereby fully authorised and empowered to comply with and fulfill the Conditions of said Bond, in as full and ample a Manner, to all Intents & Purposes, as the said Ebenezer Runnells deceased, might or could do, was he now living, any Law to the contrary notwithstanding

[CHAPTER 33.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT FOR ARRANGING THE MELITIA OF THIS STATE INTO DIVISIONS—

[Approved December 15, 1796. Original Acts, vol. 15, p. 66, recorded Acts, vol. 10, p. 132. Laws, 1797 ed., p. 415; id., 1805 ed., p. 247. The act referred to is dated December 27, 1792, id., 1797 ed., p. 411. See acts of December 28, 1792, id., p. 215; June 19, 1793, id., p. 426; June 18, 1798, id., 1805 ed., p. 247; December 26, 1799, id., p. 248; June 13, 1800, id., p. 249.]

Be it Enacted by the Senate and house of Representatives in General Court convened That the Companies in the Towns of Charlestown, and Langdon shall form a first Battallion, The Companies in the Towns of Ackworth, and Unity shall form a second Battallion which shall constitute the sixteenth Regiment—

And the Companies in the Towns of Alstead Marlow, and Lemster, shall form a first Battallion. The Companies in the Towns of Stoddard, Washington, and Goshen shall form a second Battallion which shall constitute the Twenty-eighth Regiment—

[CHAPTER 34.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT FOR REGULATING TOWNS AND THE CHOICE OF TOWN OFFICERS PASSED FEBRUARY THE 8TH 1791—

[Approved December 16, 1796. Original Acts, vol. 15, p. 67; recorded Acts, vol. 10, p. 98. Laws, 1797 ed., p. 469; id., 1805 ed., p. 204; id., 1815 ed., p. 248. The act referred to is printed in Laws of New Hampshire, vol. 5, p. 587. See acts of December 19, 1797 ed., Laws, 1805 ed., p. 205; December 20, 1797, id., p. 208; June 14, 1799, id., p. 205; December 13, 1804, id., p. 208. Repealed June 26, 1827, id., 1830 ed., p. 446.]

Whereas in and by said Act it is among other things enacted that where any town shall adjoin on any tract of land unincorporated, the perambulation may be so far as they adjoin exparte, and complaints having been made on that account—

For remedy whereof Be it Enacted by the Senate and House of Representatives in General Court convened that said Act shall extend to all unincorporated places that are vested with all the powers which Towns in this State by Law have so far as relates to the choice of Assessors, Selectmen and Collectors, and such unincorporated places shall be considered to all intents and purposes as the Junior Towns and the Selectmen or Inhabitants shall be entitl'd to notice accordingly, and the Selectmen shall have the same powers and be liable to the same penalties for all the purposes before mentioned as the Selectmen of Towns—

And Be it further Enacted that the above recited clause so far as it relates to unincorporated places that are vested with the powers of Towns in this State to make choice of Selectmen Assessors and Collectors be, and hereby is repealed—

[CHAPTER 35.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS HEREIN AFTER NAMED INTO A PROPRIETARY BY THE NAME OF "THE FRANKLIN PROPRIETARY" IN THE TOWN OF DURHAM IN THE COUNTY OF STRAFFORD.

[Approved December 16, 1796. Original Acts, vol. 15, p. 68; recorded Acts, vol. 10, p. 120.]

Whereas Nathaniel Cogswell and Thomas Pinkham, in behalf of themselves and others their associates, have petitioned the General Court of this State representing, that they have it in contemplation

for their own interest and that of the public, to erect a number of buildings at the north end of Piscataqua Bridge in said Durham and have, for that purpose purchased the Land and laid out the lots and prayed to be incorporated into a body politic as proprietors for the purposes of transacting their business under certain limitations and restrictions as may seem meet and proper.—

Be it enacted by the Senate and House of Representatives in General Court convened, that the said Nathaniel Cogswell and Thomas Pinkham and others their associates, be and they hereby are made a body politic and corporate, by the name of “the Franklin Proprietary” in said Durham, and that they and their associates and their successors and such other persons as may become purchasers in said Proprietary, shall be and continue a body Politic and corporate by that name forever.—

And be it further enacted, that the said Nathaniel Cogswell and Thomas Pinkham, with their associates shall have full power to choose a Clerk and other officers as they may deem necessary and to point out and fix the several duties of all such officers from time to time as they shall deem necessary.—

And be it further enacted, that the said Nathaniel and Thomas, with their associates shall have full power and authority to make and enact such rules and By-laws for the well ordering the business of said Proprietors, for the Government thereof— And each of said Proprietors and associates, at any meeting of the Proprietary, shall have a vote therein to each and every Right or share he may own— provided that such rules and By laws so made be not repugnant to the Constitution and laws of this State, and shall have full power to make any assessments and levy the same on any proprietors share, in such manner as to them may appear proper, and to compel the payment thereof— And the said Nathaniel and Thomas and their associates, shall have full power to establish the time and mode of convening themselves together at any place within this State as they may Judge most convenient.

And be it further enacted, that the said Nathaniel and Thomas and their associates, shall be a body politic and corporate, and may sue and be sued in all actions personal real or mixed and may prosecute and defend the same to final judgment and execution by the name of “the Franklin Proprietary” in Durham.—

And be it further enacted, that Ebenezer Thompson of said Durham Esq^r or in case he should neglect to do it, then Ebenezer Smith of said Durham Esq^r be empowered to warn the first meeting of said associates, giving fifteen days notice of said meeting to meet at the dwelling house of Jonathan Philbrook inholder in said Durham, to organize said Corporation agreeably to the true intent of this Act.—

[CHAPTER 36.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT INTITLED AN ACT FOR THE MORE SPEEDY RECOVERY OF SMALL DEBTS AND TO SAVE COST USUALLY ATTENDING THE RECOVERY THEROF IN THE PRESENT COURSE OF LAW—

[Approved December 16, 1796. Original Acts, vol. 15, p. 69; recorded Acts, vol. 10, p. 140. Laws, 1797 ed., p. 466; id., 1805 ed., p. 74; id., 1815 ed., p. 89. The act referred to was passed June 28, 1787, Laws of New Hampshire, vol. 5, p. 265. See act of December 20, 1808, Laws, 1815 ed., p. 90. Repealed December 25, 1828, id., 1830 ed., p. 57.]

Whereas in and by said act it is Enacted that any two or more persons having a controversy between them of ten pounds value or under may apply to a Justice of the peace and enter into a rule to refer the same to such person or persons as they may agree upon but by reason of the sum being limited to ten pounds or under it is found not to answer the good purposes thereby intended— Therefore—

Be it Enacted by the senate and house of Representatives in General Court Convened that instead of ten pounds or under as limited in and by said act that two or more Persons having a controversy between them of two hundred Dollars value or under may apply to a Justice of the peace and enter into a rule to refer the same to such person or persons as they may agree upon and the said Justice is hereby impowered to receive the report enter up Judgment and Issue execution thereon for damages and Costs of Suit provided the damages do not exceed the sum of two hundred Dollars which report being received and Judgment Entered thereon as aforesaid the same shall be final and conclusive between the parties any thing in said act to the Contrary Notwithstanding

[CHAPTER 37.]

State of }
New Hampshire. }

AN ACT REGULATING FEES.

[Approved December 16, 1796. Original Acts, vol. 15, p. 70; recorded Acts, vol. 10, p. 144. Laws, 1797 ed., p. 457; id., 1805 ed., p. 110; id., 1815 ed., p. 126. This act repeals the act of February 9, 1791, Laws of New Hampshire, vol. 5, p. 613. See additional acts of June 19, 1805, Laws, 1815 ed., p. 132; December 16, 1812, id., p. 133; June 19, 1813, id., p. 134; November 5, 1813, id., p. 134; December 24, 1816, (missing from the recorded Acts, but may be found in the Original Acts); June 27, 1817, recorded Acts, vol. 21, p. 76; June 29, 1818, id., p. 213; July 1, 1819, id., p. 353; June 22, 1820, id., p. 479. Repealed by act of December 23, 1820, Laws, 1824 ed., p. 90.]

Be it enacted by the Senate and House of Representatives in General Court convened, that the fees of the several Officers and other Persons herein after mentioned shall be as follows, to wit:

FEES OF THE JUSTICES OF THE PEACE IN CIVIL CAUSES.

For every writ of Summons or writ of attachment with Summons, seventeen Cents; for every writ of subpoena, ten Cents; for the entry of every Action or complaint including filing the papers, entering Judgment and appearance and recording, sixty Cents; for every execution twenty five Cents; for granting an Appeal, seventeen Cents; for entering satisfaction of a Judgment on record ten cents; for taking affidavits out of Court, thirty four cents for swearing each witness and making the caption, and seventeen cents for writing each Page of the Deposition, and for the Justices' travel to swear Witnesses at the rate of thirty four cents for every ten Miles, actual travel. The Justices' fees for travel and taking Affidavits and the Witnesses' travel and attendance shall be certified by the Justice in the Affidavit, otherwise the Justice shall not be allowed anything for his fees. For taking Affidavits in perpetuum, the same fees to each Justice as for the taking other depositions. For taking and certifying the acknowledgement of any Deed or other Instrument seventeen cents, but if there be more than one Person who shall acknowledge the same instrument and the Acknowledgement be made at different times, then seventeen cents for each time of taking and certifying. For granting warrant of appraisement and swearing the Appraisers, twenty-five cents. For every actual trial upon issue joined either upon matter of Law or fact, fifty cents. For administering oaths in all other cases and certifying the same (except the oaths of office administered to town officers, and oaths administered to Witnesses in the trial of causes before the Justice seventeen cents.

FEES OF JUSTICES OF THE PEACE IN CRIMINAL CAUSES.

For every warrant founded on a complaint for any offence twenty five cents; For drawing a complaint thirty four cents; For granting an Appeal seventeen cents; for every recognizance seventeen cents; for taking bail of persons committed in criminal causes thirty four cents for each offender; for every examination thirty four cents; for every entry of a complaint and Judgment thereon, fifty cents; for warrant of commitment and every other warrant, except those above mentioned, fifty cents, and for every adjournment seventeen cents.

IN CASES OF FORCIBLE ENTRY & DETAINER.

The Justices for every day's attendance one Dollar each; to the Witnesses and parties the same as in other cases; To the Jurors sixty cents per day for their attendance, and the same travel as Jurors at the Superior Court; To the Sheriff, one dollar per day.

FEES OF THE JUSTICES OF THE COURT OF COMMON PLEAS.

For every Action, Petition or complaint entered in the Court of Common Pleas, the Justices thereof shall be paid ninety Cents; for every appeal seventeen cents; for receiving the proof of a deed in Court twenty five Cents; for granting a writ of protection, seventeen Cents.

FEES OF THE CLERK OF THE COURT OF COMMON PLEAS.

For every Action, petition or complaint entered in the Court of Common Pleas, the Clerk thereof shall receive sixty cents, in full for entry, verdict nonsuit or default, Judgment, recording and every other service relative to such Action Petition or complaint for which no fees are otherwise particularly prescribed by this Act; the said Clerk paying there out the Crier's and Sheriff's fees for default or nonsuit, said sum together with ninety cents for the Justices, to be paid at the time of entry; For a blank writ and summons ten Cents; For a writ of protection, twelve and an half cents; For each execution seventeen cents; For entering satisfaction of a Judgment, six Cents; For entering a continuance twelve and an half cents; for each venire to be paid out of the County Treasury four cents; for every writ of possession twenty five cents; for each writ of subpoena ten cents.

FEES OF THE JUSTICES OF THE SUPERIOR COURT—

For the entry of every Action, Petition or complaint at the Superior Court, the Justices thereof shall be paid two dollars, except in appeal from a Justice of the Peace, which entry shall be one Dollar

and fifty cents only. For taking special bail thirty four cents; For a writ of habeas corpus twenty five cents; For allowing a bill of cost twelve and an half cents; for granting a writ of protection seventeen cents; for every deed proved in Court, seventeen Cents; for allowing a writ of error, seventeen Cents; for every acknowledgment of satisfaction of a Judgment on record seventeen cents;

FEES OF THE CLERK OF THE SUPERIOR COURT.

For the entry of every Action or Petition sixty seven cents; for entry of a complaint for not prosecuting an Appeal, thirty four cents; for entering a Judgment and recording it at large thirty four cents; For a writ of review fifty cents; For a writ of scire facias, fifty cents; For a writ of execution twenty five cents; for a writ of possession, fifty eight Cents; For a writ of habeas corpus thirty four cents; for entering an appearance at the request of any party ten cents; For entering a satisfacion of a Judgment on record, twelve cents and an half; for entering a continuance seventeen cents; for filing papers two Cents each; for certifying the proof of a Deed in Court seventeen cents; for each venire on certificate of the Justices of the Superior Court four cents, to be paid out of the County Treasury; for a subpoena seventeen cents; for every recognizance seventeen cents; for every writ of Protection seventeen Cents; for discharging a recognizance seventeen cents.

SHERIFF'S FEES—

For the service of a writ of summons or scire facias, either by reading it to the Defendant or leaving a copy twenty three cents for each Defendant. For the service of a writ of attachment with or without a summons twenty three cents for each Defendant. For a bail bond to be paid by the Person bailed seventeen cents; for the service of a writ of possession the same as for the service of the original writ on which it was obtained, with poundage for the costs as in Personal Actions. For levying Executions in Personal Actions and extents, two and an half cents on the Dollar for the first fifty Dollars, two cents on the Dollar for the second fifty Dollars, one cent on the Dollar for all sums from one hundred Dollars to three hundred Dollars, for all sums above three hundred Dollars a half cent on each Dollar, the poundage on extents to be taken in the same paper bills, Notes orders, or certificates, as the same extents issued for. For travel for the service of each writ, execution or extent, three Cents per Mile, the travel to be computed from the place of service to the Office, place or Court to which the writ is returnable by the way most commonly used; and where there are several Persons in the same writ, execution or extent upon whom it is served, the travel shall be computed from the remotest of them, and no more to be allowed for travel than if it were served only on

the remotest Person as aforesaid; provided that no more than fifty miles' travel shall be allowed the Sheriff or other officer serving any writ execution or extent in any case: the travelling fees and fees of service to be endorsed on the writ in mesne process, and no more shall be allowed in any case than is so endorsed, and also the fees for service, poundage and travel on executions and extents shall be particularly set down and expressed thereon. For summoning witnesses, seventeen cents each; For serving a writ of execution for partition of real estate, on a judgment of Court eighty three cents per day and for travel and expences four and an half cents per Mile; For every trial, eleven cents to be paid with Juror's fees; For every default six Cents; for attending the Grand Jury, thirty four Cents per day. For attending the Petit Jury twelve and an half cents each case to be paid with the Jurors' fees. For dispersing venires four cents each, to be paid out of the County Treasury—For dispersing Proclamations to be paid out of the County Treasury four cents each.

CORONER'S FEES.

For serving writs, the same fee for travel and service as to the Sheriff. For every trial where the Sheriff is concerned eleven cents to be paid with the Jury's fees—For taking an inquisition one Dollar and fifty Cents; To the foreman of the Jury fifty cents and other Jurors forty two cents per day and twenty cents for every ten Miles travel; To the Constable, his expences in summoning the Jury of inquest and attendance sixty seven Cents per day; all fees attending any Inquisition on the death of any person shall be paid out of the estate of the deceased, and in want thereof by the County Treasurer, the same being adjusted and allowed by the Court of Common pleas—

CONSTABLE'S FEES.

For serving writs, warrants and executions and for travel the same as to the Sheriff.

CRIER'S FEES.

For every default or nonsuit eleven Cents; for every verdict to be paid with Jury's fees eleven cents.

JUDGE OF PROBATE AND REGISTER'S FEES.

For granting Administration or guardianship, one Dollar including the bonds, letters of Administration and guardianship whereof two thirds to the Register, and, if more than one Minor be put under the same guardian at the same time, then for every such one to the Judge, ten cents, and to the Register twenty cents. For tak-

ing the proof of a will or codicil, entering the oaths of the Witnesses, and certifying the same, and recording the whole, if but one Page, one dollar forty cents to be equally divided between the Judge and Register, if more than one Page, then the same for recording every such Page, as in other cases to the Register only—For examining accounts of Executors, administrators, or guardians thirty four cents a page; For allowing and making a decree on such accounts fifty cents; For every allowance and confirmation of the division of any real estate, fifty cents; For every citation seventeen cents to the Register and to the Judge seventeen cents; For every order or warrant for dividing real estate seventeen cents to the Judge and thirty four Cents to the Register; For every commission to examine claims to insolvent estates thirty four cents to the Register and seventeen Cents to the Judge, For every licence to sell real or personal estate fifty cents, one half to the Judge and the other half to the Register. For making the proportion among the creditors to an insolvent estate to be allowed one Dollar for every twenty Creditors and in that proportion for a greater number. To the Judge for a decree or order to the Executor or Administrator to pay the several creditors according to the computation and proportion aforesaid thirty four cents: For a quietus seventeen cents to the Judge and seventeen cents to the Register. For attending a dispute concerning the right of parties in any case and an hearing by counsel including the decree thereon fifty cents to the Judge and fifty cents to the Register. For granting an appeal to the supreme Court of Probate and taking bond for prosecution, fifty cents to be equally divided between the Judge and Register; For passing an order for putting any bond in suit thirty four Cents to be equally divided between the Judge and Register, and fifty cents for taking a bond of indemnification, one half to the Judge and the other half to the Register.

FEES IN THE SECRETARYS OFFICE.

For every commission for any Person to an office of profit to be paid by the Person commissioned one dollar. For every certificate under the Seal of the State fifty Cents; For every Military commission to be paid out of the Public Treasury fifty Cents; For each Petition of a private nature to the General Court fifty Cents to be paid by the Petitioner;

GOALER'S FEES.

For receiving any Prisoner into custody twenty five cents and the like fee for discharging the Prisoner. To each Prisoner's diet one Dollar and twelve Cents per week.

GRAND JURORS' FEES.

To The Grand Jurors, sixty seven cents per day, to be paid out of the County Treasury, & four cents per Mile for their travel to and from Court.

PETIT JUROR'S FEES.

To the Foreman in any cause at the Superior Court, fifty Cents; each other Juror forty Cents, and at the Court of Common Pleas, to the Foreman in each cause forty five Cents, and to each other Juror forty Cents; and each Petit Juror attending either of the Courts aforesaid, shall be paid, out of the Treasury of the County where said Court is holden, six Cents per Mile for his travel to and from Court.

PARTIES' AND WITNESSES' FEES.

The Witnesses before any Justice of the Peace, and at any of the Courts aforesaid, shall be allowed, for each day's attendance, forty Cents and for every ten Miles' travel out and in forty Cents, a Ferry or Toll Bridge to be reckoned as Three Miles travel, and in the same proportion for a less number of Miles. The Parties attending the Courts aforesaid, for each day's attendance twenty five Cents, and twenty five Cents for ten Miles' travel to and from Court. To the party for summoning Witnesses, the same as to the Sheriff when he does it, seventeen Cents each witness. Every Plaintiff in his bill of cost in cases where the Defendant is defaulted, never having made any appearance or defence shall be allowed no more travelling fees, than for what he travels in the County where the Court is holden in the most usual way of travelling, from the place, where he lives to the Court. Provided, nevertheless, that the Plaintiff or Defendant in any case whatever shall be entitled to no more travel than from the Line of the County, unless in cases of his appearance in person.

FEES OF NOTARY PUBLIC.

For every protest under Seal one Dollar; for every certificate under seal fifty Cents; for waiting on a person to demand payment or to witness any Matter and certifying the same under Seal, one Dollar.

ATTORNEY'S FEES

There shall be allowed, in every bill of cost taxed for the plaintiff in the Court of Common Pleas, the case originating there, one Dollar and thirty four Cents for the writ including the declaration and Attorney's fees and to the defendant recovering cost in said

Court and the Party, whether Plaintiff or defendant recovering costs on an appeal from a Justice of the Peace, there shall be taxed one dollar and ten Cents for Attorney's fees; For the Party recovering a bill of cost at the Superior Court for Attorney's fees two dollars. For every complaint entered at the Superior Court, including drawing the complaint one dollar and thirty four Cents Attorney's fee for drawing a writ triable before a Justice of the Peace fifty Cents; Attorney's fee for pleading for a defendant before a Justice of the peace fifty Cents; Drawing a complaint for discontinuance of an Action before a Justice of the Peace fifty Cents; to the Secretary of the State, the Clerk of the Superior Court of Judicature, Clerk of the Court of Common Pleas, Justices of the Peace, Register of Deeds, Register of probate, Town Clerks Notaries Public Sheriffs and all other Persons whose duty it may be by Law to give any copies or to record any proceedings other than such for which particular fees are or shall be established, there shall be allowed twelve Cents and an half for every page so recorded or copied reckoning two hundred & twenty four words for a page and any part less than a Page eight Cents and for every certificate on a copy of the whole case ten Cents—

FEES OF THE RECORDER OF DEEDS.

For a certificate on a Deed of the time when and the place where recorded and for every other certificate by him made four Cents. For examining the records at the request of any person four Cents for each book examined. For discharging a mortgage on the record as the law directs, seventeen Cents—

And Be it further Enacted that if any person or persons shall demand & take any greater fee or fees for any of the services mentioned in this Act, or any other law of this State, than is herein and thereby provided and declared, he or they shall forfeit and pay to the person or persons suing for the same the sum of thirty dollars for every such offence, to be recovered by Action of Debt in the Court of Common Pleas, besides being liable to an action for damages by and for the party injured, to recover back the sum or sums so unlawfully taken.

And Be it further Enacted that the Act entitled an Act regulating fees passed the ninth day of February Anno Domini one thousand Seven hundred and Ninety one establishing the Rate of fees to be taken by the several Officers therein mentioned be, and the same is hereby repealed— Provided that the foregoing Act, or any clause therein contained shall not be in force, or take effect until after the first day of March next, any thing therein contained to the contrary notwithstanding—

[ORDERS, RESOLVES AND VOTES OF A LEGISLATIVE NATURE PASSED
DURING THIS SESSION.]

1796, November 29.

Voted that M^r Whipple M^r Moodey M^r Hoit M^r Mills and M^r Pierce be a Committee on the part of this House to join such of the Hon^{ble} Senate as they may appoint to prepare an address to be presented to the President of the United States expressive of the high sense the Legislature entertains for his unwearied exertions and Signal Services in the cause of freedom and his Country and for his provident care for its future Interest and happiness expressed in his intention of Resignation—

[House Journal, 1794-99, p. 326. Senate Journal, 1791-6, p. 524.]

1796, December 6.

Resolved that the Treasurer of this State issue Extents for all monies due on Excise Bonds and remaining unpaid on the first day of January next and that he take effectual measures for collecting all monies then due on Impost and other bonds and that all such Extents shall be returnable on or before the first day of April next—

[House Journal, 1794-99, p. 345. Senate Journal, 1791-6, p. 538.]

1796, December 13.

The President of the United states having in his address to the people declined a Re-election to that Important office, and expressed Sentiments dictated by affection for them and a pure love of his country—

Therefore

Resolved that said address be entered on the Journals of the Senate and House of Representatives as a Testimony of their Approbation of the Sentiments contained therein and of their respect and gratitude to that great and good man the best part of whose life has been devoted to the service of his Country—

[House Journal, 1794-99, p. 376. Senate Journal, 1791-6, p. 561.]

1796, December 14.

Impressed with the importance of Securing to our fellow citizens every privilege they have a right to by the Constitution which guarantees a prompt administration of Justice without delay and also contemplates that the public shall not suffer by the long continuance in office of certain officers of Government and as it appears from complaints which have for some time past existed and do still exist that Justice has been delayed in the Superior Court of Judicature and that complaints against other officers of Government by reason of the decays of Nature and infirmities of age, are in the Opinion of the Legislature unavoidable—

For remedy whereof

The Senate and House of Representatives present the Executive with this address requesting the removal of the Honb^l John Dudley Esq^r from the Office he now holds as Judge of the Superior Court— The Honb^l Joseph Badger Esq^r from the office he now holds as Judge of the Probate of Wills &c for the County of Strafford and Theophilus Dame Esq^r from the Office he now holds as sheriff of the County of Strafford aforesaid—

[House Journal, 1794-99, p. 398. Senate Journal, 1791-6, p. 563.]

1796, December 16.

Whereas the Sherriff of the County of Grafton by virtue of a Warrant from the Treasurer of the state did make sale of a Township of Land by the name of Colburne to Jonathan Cilley Esq^r who was the highest bidder and there appearing to be no such Township in this State—Therefore—

Resolved that the Treasurer refund to the said Sherriff the full sum for which the said Township was sold with Interest accruing thereon and also Deliver him two hundred Dollars—all which the said Sherriff is hereby directed immediately to tender unto the said Jonathan Cilley in full compensation for his cost and damages arising from said purchase And on the said Cilleys accepting said tender the said Sherriff shall demand and receive a Deed of release of the premises—

[House Journal, 1794-99, p. 409. Senate Journal, 1791-6, p. 577.]

[SIXTH GENERAL COURT.]

*[Held at Concord and Portsmouth, Two Sessions, June 7, 1797,
to December 21, 1797.]*

[OFFICERS OF THE GOVERNMENT.]

JOHN TAYLOR GILMAN, GOVERNOR.
JOSEPH PEARSON, SECRETARY.
NATHANIEL PARKER, DEPUTY SECRETARY.
OLIVER PEABODY, TREASURER.
JOSHUA ATHERTON, ATTORNEY GENERAL.
AMOS SHEPARD, PRESIDENT OF THE SENATE.
WILLIAM PLUMER, SPEAKER OF THE HOUSE.

[MEMBERS OF THE COUNCIL.]

Joseph Cilley,	Nottingham.
Aaron Wingate,	Farmington.
Robert Wallace,	Henniker.
Thomas Bellows,	Walpole.
Russell Freeman,	Hanover.

[MEMBERS OF THE SENATE.]

Moses Leavitt,	North Hampton.
Jeremiah Fogg,	Kensington.
Joseph Blanchard,	Chester.
Michael McClary,	Epsom.
William Hale,	Dover.
Nathan Hoit,	Moultonborough.
John Orr,	Bedford.
James Flanders,	Warner.
John Duncan,	Antrim.
Elisha Whitcomb,	Swanzey.
Amos Shepard,	Alstead.
Moses Baker,	Campton.

[MEMBERS OF THE HOUSE.]

Acworth,	}	William Grout.
Alexandria,		
Bridgewater,		
New Chester and		
Danbury,		
Allenstown and	}	Peter Sleeper.
Bow,		
		George Evans.

Alstead,
 Alton. See New Durham.
 Amherst,
 Andover,
 Antrim and }
 Campbell's Gore, }

Moses Hale.
 Daniel Warner.
 Joseph Philbrick.
 John Duncan.

John Duncan was elected to the Senate and Jonathan Nesmith was chosen to fill the vacancy.

Atkinson and }
 Plaistow, }
 Barnstead,
 Barrington,

Jonathan Payson.
 Charles Hodgdon.
 Eliphalet Cloutman.
 Joseph Boodey.

Bartlett, }
 Conway and }
 * Locations, }
 Bath, }
 Landaff and }
 Lincoln, }

Obed Hall.
 Jeremiah Hutchins.

Bedford,
 Boscawen,
 Bow. See Allenstown.

Isaac Riddle.
 Enoch Gerrish.

Bradford and }
 Fishersfield, }

John Burns.

Brentwood,
 Bridgewater. See Alexandria.

Jabez Smith.

Brookfield and }
 Wolfeboro, }
 Burton, }
 Tamworth and }

Henry Rust, Jr.

Eaton,
 Campbell's Gore. See Antrim.

Jeremiah Gilman.

Campton, }
 Thornton and }
 Holderness, }

John Mooney.

Canaan, }
 Grafton and }
 Orange, }

Daniel Blaisdell.

Candia,
 Canterbury,
 Charlestown and }
 Langdon, }

Nathaniel Emerson.
 Nehemiah Clough.

Chester,
 Chesterfield,
 Chichester,
 Claremont,

Samuel Stevens.
 William White.
 Eleazer Jackson.
 Nathaniel Morrill.
 George B. Upham.

Cockburne.	See Shelburne.	
Colebrook.	See Shelburne.	
Concord,		William A. Kent.
Concord (Lisbon).	See Lyman.	
Conway.	See Bartlett.	
Cornish,		Ithamar Chase.
Coventry and	}	Moody Bedel.
Haverhill,		
Croydon and	}	Edward Hall, Jr.
Wendell,		
Dalton,	}	Richard C. Everett.
Jefferson,		
Lancaster and		
Littleton,		
Danbury.	See Alexandria.	
Deerfield,		Edmund Chadwick.
Deering,		Robert Alcock.
Derryfield and	}	Daniel Davis.
Litchfield,		
Dorchester,	}	David Hale.
Groton and		
Hebron,	}	John Waldron.
Dover,		
		Moses Wingate.
Dublin,		Thaddeus Mason.
Dunbarton,		Joseph Leach.
Dunstable,		Frederick French.
Durham,		Ebenezer Thompson, Jr.
East Kingston and	}	Eliphalet Webster.
South Hampton,		
Eaton.	See Burton.	
Effingham and	}	Jacob Brown.
Ossipee,		
Enfield,		James Huse.
Epping,		William Plumer.
Epsom,		James H. McClary.
Exeter,		Benjamin Connor.
Fishersfield.	See Bradford.	
Francestown,		Peter Woodbury.
Franconia.	See Lyman.	
Fitzwilliam,		Nahum Parker.
Gilmanton,		Joseph Young.
		Samuel Shepard.
Gilsum and	}	David Blish.
Surry,		
Goffstown,		John Pattee.

Goshen and } Unity, }	Wilson Shaw.
Grafton. See Canaan.	
Greenfield and } Society Land, }	Joseph Herrick.
Greenland,	Joshua Weeks.
Groton. See Dorchester.	
Hampstead,	John True.
Hampton,	Oliver Whipple.
Hampton Falls and } Seabrook, }	Caleb Tilton.
Hancock,	Samuel Gordon.
Hanover,	Russell Freeman.

Russell Freeman was chosen councilor and Samuel Slade was elected to fill the vacancy.

Haverhill. See Coventry.	
Hawke and } Sandown, }	Thomas Page.
Hebron. See Dorchester.	
Henniker,	Timothy Gibson.
Hillsborough,	Benjamin Pierce.
Hinsdale,	Uriel Evans.
Holderness. See Campton.	
Hollis,	Jeremiah Ames.
Hopkinton,	Timothy Darling.
Jaffrey,	Abel Parker.
Jefferson. See Dalton.	
Keene,	Peleg Sprague.
Kensington,	Enoch Worthen.
Kingston,	Jacob Webster.
Lancaster. See Dalton.	
Landaff. See Bath.	
Langdon. See Charlestown.	
Lebanon,	Elisha Payne.
Lee,	Nathaniel Clough.
Lempster and } Marlow, }	Elisha Huntley.
Lincoln. See Bath.	
Litchfield. See Derryfield.	
Littleton. See Dalton.	
Londonderry,	James Pinkerton.
	William Choate.
	Enoch Wood.
Loudon,	
Lyman,	
Concord (Lisbon) and } Franconia, }	Samuel Young.
Lyme,	John Fairfield.

Lyndeborough,	Ephraim Putnam.
Madbury,	John Wingate.
Marlborough,	Phinehas Farrar.
Marlow. See Lempster.	
Mason,	Joseph Barrett.
Meredith,	Richard Boynton.
Merrimack,	Simeon Cummings.
Middleton and }	Jonathan Palmer.
Wakefield, }	
Milford and }	Augustus Blanchard.
Raby, }	
Moultonborough and }	Joseph Richardson.
Tuftonboro, }	
New Boston,	Ninian Clark.
New Chester. See Alexandria.	
New Durham and }	John Bennett, Jr.
Alton, }	
New Grantham. See Springfield.	
New Hampton,	Levi Dow.
Newington,	Ephraim Pickering.
New Ipswich,	Jeremiah Pritchard.
New London and }	Matthew Harvey.
Sutton, }	
Newmarket,	James Smith.
Newport,	Jesse Lane.
Newton,	Theophilus Goodwin.
Northfield,	Thomas Clough.
North Hampton,	Thomas Leavitt.
Northumberland, }	
Piercy and }	William Cargill.
Stratford, }	
Northwood,	Jonathan Clark.
Nottingham,	Bradbury Cilley.
Nottingham West,	Joseph Greeley.
Orange. See Canaan.	
Orford and }	John Mann, Jr.
Wentworth, }	
Ossipee. See Effingham.	
Packersfield and }	Samuel Griffin.
Sullivan, }	
Pelham,	Nehemiah Butler.
Pembroke,	Samuel McConnell.
Piercy. See Northumberland.	
Piermont. See Warren.	
Peterborough,	John Smith.
Pittsfield,	Enoch Butler.
Plainfield,	Daniel Kimball.

- Plaistow. See Atkinson.
 Plymouth and } Josiah Brown.
 Rumney, }
 Poplin. See Raymond.
 Portsmouth, Woodbury Langdon.
 John Goddard.
 Samuel Drowne.
- Raby. See Milford.
 Raymond and } Ezekiel Godfrey.
 Poplin, }
 Richmond, Moses Tyler.
 Rindge, William Gardner.
 Rochester, William Palmer.
 James Howe.
- Rumney. See Plymouth.
 Rye, Joseph Parsons.
 Salem, Silas Betton.
 Salisbury, John C. Gale.
 Sanbornton, William Harper.
 Sandown. See Hawke.
 Sandwich, Asa Crosby.
 Seabrook. See Hampton Falls.
 Sharon. See Temple.
- Shelburne, }
 Cockburne, } Chauncey Curtis.
 Stewartstown and }
 Colebrook, }
 Society Land. See Greenfield.
- Somersworth, James Carr.
 South Hampton. See East Kingston.
 Springfield and } Nathaniel Little.
 New Grantham, }
 Stewartstown. See Shelburne.
- Stoddard, Jacob Copeland.
 Stratford. See Northumberland.
 Stratham, Nicholas Rollins.
 Sullivan. See Packersfield.
 Surry. See Gilsum.
 Sutton. See New London.
- Swanzy, Calvin Frink.
 Tamworth. See Burton.
 Temple and } Ebenezer Edwards.
 Sharon, }
 Thornton. See Campton.
 Tuftonboro. See Moultonborough.
 Unity. See Goshen.
 Wakefield. See Middleton.

Walpole,	Samuel Grant.
Warner,	Aquila Davis.
Warren and } Piermont, }	William Butler.
Washington,	Azariah Faxon.
Weare,	Samuel B. Tobie.
Wendell. See Croydon.	
Wentworth. See Orford.	
Westmoreland,	Archelaus Temple.
Wilton,	Philip Putnam.
Winchester,	Samuel Smith.
Windham,	Samuel Armor.
Wolfeboro. See Brookfield.	

* The locations represented were as follows:

Thomas Chadbourne's	Francis Green's
Goffe's	Samuel Stark's
M. H. Wentworth's	Rindge's and Pierce's
Roger's and Treadwell's	Vere Royse's
Sterling's	W. Stark's
Martin's	Philip Bayley's
Sherburne's and others	Hobert Furniss'
Theophilus Dame's	Samuel Gilman's
John Hurd's	McMillan's
Stephen Holland's	David Gilman's
Archibald Stark's	Gridley's
Samuel Hale's	Gray's

[*First Session, Held at Concord, June 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 19, 20, 21, 1797.*]

[CHAPTER 1.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT PASSED IN DECEMBER ANNO DOMINI ONE THOUSAND SEVEN HUNDRED AND EIGHTY THREE ENTITLED AN ACT TO ENABLE ENOCH HALE TO BUILD AND KEEP A BRIDGE OVER CONNECTICUT RIVER.—

[Approved June 15, 1797. Original Acts, vol. 15, p. 71; recorded Acts, vol. 10, p. 253. The act referred to is printed in Laws of New Hampshire, vol. 4, p. 534. See additional act of June 15, 1804, recorded Acts, vol. 14, p. 421.]

Whereas it has been represented to the Legislature by the proprietor of Hales bridge so called that an Act entitled "an act to enable Enoch Hale to build and keep a bridge over Connecticut

river" doth not secure to said Hale his heirs and assigns the rights and privileges thereby intended to be granted there not being in said act any restriction against building other bridges so near that which has been erected by said Hale or his assigns as greatly to affect and injure the same and it appearing reasonable that the Said Hale his heirs and assigns should be perfectly secured in the rights and privileges granted as aforesaid.—

Therefore Be it enacted by the Senate and House of representatives in General Court convened that no person or persons, without consent of the proprietors or owners of the grant made to the said Enoch Hale his heirs and assigns by the act aforesaid; shall ever be allowed to build or keep any bridge over Connecticut river at any place between the Southerly or lower bounds of the aforesaid grant made to said Hale and a point at the distance of two miles therefrom down said river; nor at any place between the northerly bounds of said grant and a point two miles distant from the same up the river.

Provided that nothing in this act shall empower said Hale his heirs or assigns to erect a bridge at any place where he was not authorised so to do by the act aforesaid.—

[CHAPTER 2.]

State of }
New Hampshire. }

AN ACT TO ENABLE THE REPRESENTATIVES OF THE COUNTY OF CHESHIRE TO FORM THEMSELVES INTO A CONVENTION FOR THE PURPOSE OF GRANTING AND APPROPRIATING TAXES FOR THEIR COUNTY AT THIS SESSION OF THE GENERAL COURT

[Approved June 16, 1797. Original Acts, vol. 15, p. 72; recorded Acts, vol. 10, p. 229. See act of June 10, 1796, recorded Acts, vol. 10, p. 82.]

Whereas it is necessary that monies be raised to defray the expences of Said County before the time appointed by law for that purpose— Therefore

Be it enacted by the Senate and House of Representatives in general Court Conven'd that the Representatives from the County of Cheshire be and they hereby are enabled to form themselves into a Convention during the present Session of the general Court for the Sole purpose of granting and appropriating taxes for their County

[CHAPTER 3.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF
THE PROPRIETORS OF THE SOCIAL LIBRARY IN JAFFREY

[Approved June 16, 1797. Original Acts, vol. 15, p. 73; recorded Acts, vol. 10, p. 231.]

Be it Enacted by the Senate and House of Representatives in General Court Conven'd that Laban Ainsworth Roger Gilmore and Simeon Butters and their associates proprietors of Said Library and all Such as may hereafter become proprietors of the Same be and they hereby are incorporated into a body politic by the name of the proprietors of the Social Library in Jaffrey with all the powers and privileges incident to Corporations and may Enjoin penalties of disfranchisement or fine not exceeding three dollars for each offence and make purchase and Receive Subscriptions grants and donations of personal Estate not exceeding the Sum of three thousand Dollars for the purpose of their association

And Be it further Enacted that the Said Society be and they hereby are authorized to assemble at Jaffrey aforesaid on the first monday of January every year or on any other day Said proprietors shall appoint to Choose all Such officers as may be found Necessary for the orderly Conducting the affairs of Said Corporation who Shall Continue untill others are Chosen in their room—and that the Said Corporation may assemble as often as they agree for filling up any Vacancies which may happen in Said offices and for transacting all other business excepting assessing and Raising monies which Shall be done always at their annual meeting on the Said first monday of January and at no other time at which meeting they Shall Vote all Necessary Sums for defraying the annual expences of preserving Said Library and for enlarging the Same

And Be it further Enacted that Roger Gilmore Esq. is hereby authorized and impowered to Call the first meeting of Said proprietors at Such time and place as he may appoint by posting a notification of the Same at the public meeting house in Said Jaffrey at least ten days before the time prefixed for Said meeting and the Said proprietors at Said meeting Shall have all the powers to Enact bye laws and Choose all Such officers as they may or Can do at their Said Annual meeting

[CHAPTER 4.]

State of }
New Hampshire. }

AN ACT TO ALTER THE TIME OF HOLDING THE ANNUAL MEETING IN
 THE TOWN OF UNITY.

[Approved June 16, 1797. Original Acts, vol. 15, p. 74; recorded Acts, vol. 10, p. 234.]

Whereas a petition has been presented to the General Court of this State by the Selectmen of Unity in behalf of said Town praying that their annual Town-meeting may be altered from the third Thursday to the first Tuesday of March annually the prayer of which petition appearing reasonable

Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened that from and after the passing of this Act the annual Meeting in said Town instead of being holden on the third Thursday of March shall be forever holden on the first Tuesday of the said March annually any law, usage or custom to the contrary notwithstanding.—

[CHAPTER 5.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS HEREIN AFTER NAMED
 AND THEIR ASSOCIATES INTO A SOCIETY BY THE NAME OF CHESTER
 SOCIAL LIBRARY

[Approved June 16, 1797. Original Acts, vol. 15, p. 75; recorded Acts, vol. 10, p. 250.]

Whereas a general diffusion of useful Knowledge in a land of Liberty has a happy tendency to preserve freedom and make better men & Better citizens—

Therefore be it Enacted by the senate and house of Representatives in General Court convened that William White Esq^r Maj^r Simon Towle Doct^r Thomas Sargent Benj^a Brown and others their associates be and they hereby are formed into constituted and made a body politic & corporate by the name of Chester social Library and that they their associates & successors and such other persons as may hereafter become proprietors in the manner hereinafter mentioned shall be & continue a body politic and corporate by the same name forever—

and be it Further Enacted— that the members of said society may from time to time Elect such officers as they may deem neces-

sary & expedient & to determine the respective numbers & the duties of their several offices

And be it Further Enacted that the members of said society shall have full power & authority to make & Enact such rules & by laws for the government thereof as may be by them found Necessary provided the same be not repugnant to the constitution and laws of this state and to annex reasonable fines & penalties to the breach of them not exceeding the value of the delinquents share in said Library to be recovered by said society in an action of debt in any Court proper to try the same

And be it Further Enacted that said society shall forever have the power to establish the time & mode of convening themselves together & the number Necessary to constitute such meeting as also the place most convenient & that Stephen Chase Esq^r call the first meeting of s^d society

And be it Further Enacted that the members of said society may from time to time admit such persons to become members thereof as they may Judge proper & shall have power to suspend expell or disfranchise any member thereof—

And be it Further Enacted that the members of said society shall forever be deemed capable in law of taking & Holding any donation, that may be made them whether the same be made to them in money Books or other personal Estate

And be it Further Enacted that the members of said society may sue and be sued in all personal actions & prosecute and defend the same to final Judgment and Execution by the name of the proprietors of Chester social Library—

[CHAPTER 6.]

State of . }
New Hampshire. }

AN ACT TO MAKE SPECIAL PLEADING IN CAUSES TRIABLE BEFORE JUSTICES OF THE PEACE UNNECESSARY

[Approved June 20, 1797. Original Acts, vol. 15, p. 76; recorded Acts, vol. 10, p. 228; Laws, 1805 ed., p. 73; id., 1815 ed., p. 509. Repealed June 22, 1810, id., p. 65.]

Be it Enacted by the Senate and House of Representatives in General Court Conven'd that the defendant in any Cause triable before a justice of the peace may give any Special matter in evidence under the general Issue any usage or Custom to the Contrary notwithstanding

[CHAPTER 7.]

State of }
New Hampshire. }

AN ACT FOR ALLOWING SALARIES TO THE JUDGES OF THE SUPERIOR COURT

[Approved June 20, 1797. Original Acts, vol. 15, p. 77; recorded Acts, vol. 10, p. 230.]

Whereas it is required by the Constitution of this State, that permanent and honorable salaries shall be established by standing laws for the Justices of the Superior Court:

Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened, that the Chief Justice of the Superior Court of Judicature have and receive out of the Treasury of this State the sum of eight hundred and fifty dollars annually, as a salary for his services as Chief Justice; And that each of the Puisne Justices of said Court, have and receive out of the Treasury of this State the sum of eight hundred dollars annually as their respective salaries for their services as Justices of the Superior Court: Which salaries shall be paid in quarterly payments as the same becomes due, by orders drawn on the Treasurer and signed by the Governor. And that all Acts and Resolves heretofore made and passed for allowing salaries to the Justices of said Court, be and hereby are repealed, and that the fees which said Justices may receive in the course of their Office, shall be severally accounted for, and deducted from their salaries. And it shall be the duty of the Clerk of said Court to certify to the Secretary the fees paid said Justices at the close of every Circuit

[CHAPTER 8.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS HEREINAFTER NAMED, INTO A SOCIETY BY THE NAME, OF "THE SOCIAL LIBRARY COMPANY IN NEW DURHAM"

[Approved June 20, 1797. Original Acts, vol. 15, p. 78; recorded Acts, vol. 10, p. 236.]

Whereas a general diffusion of useful knowledge in a land of liberty, has a happy tendency to preserve freedom & make better men and better citizens.—

Be it therefore enacted by the Senate and House of Representatives in General Court convened, That Col^o Thomas Tash, Samuel Runnals Esq^r, Thomas Tash J^r Esq^r, Cap^t John Bennet, Cap^t Ephraim Chamberlin, Cap^t Benjamin Bennet, L^t William Wingate, L^t Joseph Jackson, Samuel Wille Jun^r Josiah Edgerley, Elisha Davis, and others their associates be, and they hereby are formed into, constituted and made a body politic and corporate by the name of "The social library Company in New-Durham" and that they, their Successors, and such other persons, as may be elected, in the manner hereinafter mentioned, shall be and continue a body politic and corporate by the same name forever—

And be it further enacted that the members of said society may from time to time elect a Director thereof, a Secretary, a Librarian, Treasurer, and such other Officers, as they may deem necessary and expedient, and to determine the respective numbers and the duties of their several Officers—

And be it further enacted That the Members of said Society shall have full power and authority to make and enact such rules and by-laws for the Government thereof, as may by them be found necessary; provided the same be not repugnant to the Constitution and Laws of this State and to annex reasonable fines and penalties to the breach of them, not exceeding the value of the delinquents share in said library, to be recovered, by said Society, in an action of debt to their use, in any Court, within this State proper to try the same—

And be it further enacted That the said Society shall forever have the power to establish the time and mode of convening themselves together and the number necessary to constitute such meeting, as also the place which to them may appear most convenient.

And be it further enacted That the Members of said Society may from time to time admit such persons to become members thereof, as they may judge proper, and shall have power to suspend, expell or disenfranchise any member thereof.—

And be it further enacted, that the members of said Society shall forever be deemed capable in law of taking and holding any donation that may be made them, whether the same be in money books or other personal estate not exceeding One thousand Dollars— And be it further enacted that the Members of said Society may sue and be sued in all actions personal, and prosecute and defend the same, to final Judgment and execution by the name of the proprietors of "the social library Company in New Durham"

And be it, further enacted, That Thomas Tash Jun^r, Esq^r be, and he is hereby authorised to call the first Meeting of said Proprietors, giving Notice of the Time and Place of Meeting of said Proprietors, at least ten days, previous to the day of Meeting, by Posting up the same, at some public Place in said New durham

[CHAPTER 9.]

State of }
New Hampshire. }

AN ACT TO AUTHORISE THE ADMINISTRATOR OF THE ESTATE OF JEREMIAH YOUNG DECEASED TO MAKE AND EXECUTE A GOOD AND VALID DEED TO STEPHEN COGAN OF A CERTAIN TRACT OF LAND IN DURHAM—

[Approved June 20, 1797. Original Acts, vol. 15, p. 79; recorded Acts, vol. 10, p. 247.]

Whereas a petition has been preferred to the Legislature by Stephen Cogan of Durham in the County of Strafford and James Cram Administrator to the Estate of Jeremiah Young late of New Market in the County of Rockingham Deceased, Stating that the said Young in his life time by a Memorandum in Writing under his hand promised the said Cogan to make and execute to him a deed of about twelve Acres of Land in Durham aforesaid being part of the Land inclosed in said Cogan's homestead farm and that the said Young died before the same was executed—and praying that the said Cram, administrator as aforesaid might be authorised to convey to the said Cogan all the right and title to the premises aforesaid which the said Young had at the time of his decease in as full and ample Manner as the said Young in his life time might have done. And it appearing reasonable to grant the prayer of said Petition therefore, Be it Enacted by the Senate and House of Representatives in General Court convened that James Cram Administrator of the Estate of Jeremiah Young late of New-Market in the County of Rockingham Deceased be and he hereby is fully authorised and empowered to make and execute to Stephen Cogan of Durham in the County of Strafford a good and valid Deed and thereby to convey to said Cogan all the right and title which said Young at the time of his decease had to a certain tract of Land situated in Durham aforesaid containing twelve Acres, more or less enclosed in the homestead farm of said Cogan in as full & ample a manner as the said Young in his life time could have done, any Law usage or custom to the contrary Notwithstanding.—

[CHAPTER 10.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF
THE PROPRIETORS OF THE SOCIAL LIBRARY IN EXETER—

[Approved June 20, 1797. Original Acts, vol. 15, p. 80; recorded Acts, vol. 10, p. 260.]

Be it enacted by the Senate and House of Representatives in General Court convened, That Samuel Tenney, Oliver Peabody, Benjamin Abbot, Gideon Lamson, Ebenezer Clifford and their Associates, proprietors of said Library, and all such as may hereafter become proprietors of the same be and they hereby are incorporated into a body politic by the Name of the Proprietors of the Social Library in Exeter, with all the Priviledges & powers incident to Corporations, and may enjoin penalties of disfranchisement, or fine not exceeding Ten dollars for each offence, and make, purchase & receive subscriptions, grants, and donations, of real or personal Estate, not exceeding four thousand dollars, for the purpose of their association—And be it further enacted, That the said Society, be, and they hereby are authorised to assemble at Exeter aforesaid on the second Monday in March, in every Year, or on any other day said proprietors shall appoint, to chuse all such Officers as may be found necessary for the orderly conducting of the affairs of said Corporation, who shall continue until others are chosen in their Room. And that the said Corporation may assemble as often as they agree for filling up vacancies, which may happen in said Offices, and for transacting all other business, excepting assessing and raising Monies, which shall be done always at some annual Meeting, and at no other time; at which Meeting they shall vote all necessary sums for defraying the Annual expences of preserving said Library, & for enlarging the same—

And that Samuel Tenney is hereby authorised and empowered to call a Meeting of said proprietors, at such time & place as he may appoint giving ten days notice thereof, which notice shall be personal; or by posting Notifications at some public place in the several Towns where the Proprietors live, at which Meeting they may enact such Bye laws, and Regulations, and choose all such Officers, as they may or can do at their said Annual Meeting—

[CHAPTER 11.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSON HEREIN AFTER NAMED
& THEIR ASSOCIATES BY THE NAME OF WAKEFIELD & BROOKFIELD
UNION LIBRARY

[Approved June 20, 1797. Original Acts, vol. 15, p. 81; recorded Acts, vol. 10, p. 262.]

Be it Enacted by the senate & house of Representatives in General Court convened that Timothy Johnson Avery Hall Jonathan Palmer David Copp & William Chamberlin & their associates be & they hereby are formed into constituted and made a body politic & Corporate by the name of Wakefield & Brookfield Union Library & that they their associates & successors and such others as may become proprietors of said library shall be and continue a body politic & Corporate by the same name forever

And be it Further Enacted that the members of said society are hereby fully authorised (at their anual meetings) to raise such sum or sums of money as they may judge necessary for enlargeing & Preserveing said library and may from time to time Elect such officers as they may deem necessary and expedient & determine the respective numbers and the duties of their several offices

And Be it Further Enacted that the members of said society shall have ful power and authority to make and Enact such rules & by laws for the Government thereof as may by them be found necessary provided the same be not repugnant to the Constitution and laws of this state and to annex reasonable fines and penalties to the breach of them not exceeding the delinquents share in said Library to be recovered by said Corporation in an action of debt in any Court proper to try the same

And be it further Enacted that the said Corporation shall forever have power to Establish the time & mode of convening together and the number necessary to constitute such meeting as also the place most convenient & that David Copp Esq^r be authorised to Call the first meeting by posting up advertisements of the time and place of meeting of the proprietors at some public places in the Towns of Wakefield & Brookfield ten days before the day of meeting

And be it Further Enacted that the members of said society may from time to time admit such persons to become members therof as they may judge necessary & shall have power to suspend expell or disfranchise any member therof

And be it Further Enacted that the members of said society shall be deemed capable in law of takeing & holding any Donation that may be made them whether the same be in money books or other

personal Estate provided the same do not exceed the sum of two Thousand Dollars

And be it Further Enacted that the members of said Society may sue and be sued in all personal actions and prosecute and defend the same to final judgment and Execution by the name of the proprietors of Wakefield & Brookfield Union Library

[CHAPTER 12.]

State of }
New Hampshire. }

AN ACT SUSPENDING IN CERTAIN CASES THE OPERATION OF AN ACT ENTITLED "AN ACT FOR THE LIMITATION OF ACTIONS AND PREVENTING VEXATIOUS SUITS PASSED THE SIXTEENTH DAY OF JUNE ONE THOUSAND SEVEN HUNDRED AND NINETY ONE.

[Approved June 20, 1797. Original Acts. vol. 15, p. 82; recorded Acts, vol. 10, p. 267. Laws, 1805 ed., p. 137; id., 1815 ed., p. 167. The acts of December 6, 1796, id., p. 166, and June 20, 1792, recorded Acts, vol. 8, p. 42, are repealed by this act. Part of the act of June 17, 1791, Laws of New Hampshire, vol. 5, p. 778, is also repealed. See acts of June 18, 1798, Laws, 1815 ed., p. 168; June 14, 1799, id., p. 168; December 30, 1799, id., p. 168; June 19, 1805, id., p. 169; June 22, 1814, id., p. 170.]

Whereas the following Acts have been found insufficient for the purposes thereby intended— viz^t

An Act passed the seventeenth day of June one thousand seven hundred and ninety one entitled "An Act suspending the operation of sundry acts therein enumerated and referred to until a certain period."

An act passed the twentieth day of June one thousand seven hundred ninety two entitled "An Act in further addition to an Act passed the seventeenth day of June one thousand seven hundred ninety one entitled "An Act suspending the operation of sundry Acts therein enumerated and referred to until a certain period. An Act passed the sixth day of December one thousand seven hundred ninety six entitled "An Act to ascertain and determine the time when an Act entitled "An Act for the limitation of actions & preventing of vexatious suits" passed the sixteenth day of June one thousand seven hundred ninety one took effect— Therefore—

Be it enacted by the Senate and House of Representatives in General Court convened—That said recited Act passed the seventeenth day of June one thousand seven hundred and ninety one as far as it relates to the Act entitled "An Act for the limitation of Actions and preventing of vexatious suits— Also said other enumerated Acts passed the twentieth day of June one thousand seven hundred and ninety two and the sixth day of December one thousand seven hundred ninety six be and they hereby are repealed

And be it further enacted— That the several periods specified in said act for the limitation of Actions & preventing of vexatious suits, shall be computed from the fifteenth day of September one thousand seven hundred ninety two instead of from the first day of July one thousand seven hundred ninety one as expressed in said Act—Provided nevertheless that this act shall not be construed to affect any judgment or decision of any Court heretofore had by virtue of said Acts—before enumerated.—

[CHAPTER 13.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AND AMENDMENT OF AN ACT ENTITLED AN
ACT REGULATING PROCESS AND TRIALS IN CIVIL CASES.

[Approved June 21, 1797. Original Acts, vol. 15, p. 84; recorded Acts, vol. 10, p. 135. Laws, 1805 ed., p. 96; id., 1815 ed., p. 108. See act of October 4, 1701, Laws of New Hampshire, vol. 1, p. 702. The act referred to is dated February 9, 1791, Laws of New Hampshire, vol. 5, p. 621. See also the acts of December 11, 1792, Laws, 1797 ed., p. 96; December 13, 1796, id., p. 465; November 5, 1813, id., 1815 ed., p. 109. See act of January 2, 1829, id., 1830 ed., p. 88.]

Whereas the proceedings upon pleas in abatement as directed by the act entitled “An Act regulating process and trials in civil cases” have been found to be productive of great delay and vexation; for remedy whereof,

Be it enacted by the Senate and house of Representatives in General Court convened that upon trials on appeals in any pleas of Abatement, if Judgment be rendered that the plea is insufficient; and that the Defendant answer over, the Court appealed to shall order the defendant to plead to the merits in the same Court, and proceed to trial without remanding the Cause to the Court appealed from, or any new entry or proceedings being there made; any thing in said act to the contrary notwithstanding

And be it further enacted, that all actions of Trespass for breaking and entering upon any Close, or real property, Actions upon the Case for Trover and Conversion, Actions of Debt, or on the case against any Sheriff or his Deputy for any illegal doings or misconduct in office, Actions of Ejectment, or Trespass and ejectment, Actions of Trespass for taking and carrying away goods and chattels shall not abate by reason of the death of either party, but shall so far be considered as surviving that they may be prosecuted to final Judgment and execution, and reviewed in the same manner, as actions, the cause whereof doth by law survive may, by said act, be prosecuted and reviewed, any law use or custom to the contrary notwithstanding

[CHAPTER 14.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT TO INCORPORATE CERTAIN PERSONS FOR THE PURPOSE OF CUTTING A CANAL BY ISLE OF HOOKSETT FALLS ON MERRIMACK RIVER.—

[Approved June 21, 1797. Original Acts, vol. 15, p. 85; recorded Acts, vol. 10, p. 223. The act referred to is dated February 18, 1794, Original Acts, vol. 14, p. 45. See additional acts of December 22, 1803, recorded Acts, vol. 14, p. 191; June 17, 1806, id., vol. 16, p. 321, December 1, 1808, id., vol. 17, p. 342; June 13, 1810, id., vol. 18, p. 316.]

Whereas Robert McGregore and William Duncan Esquires have petitioned the Legislature of this State to grant them a further term of time than that allowed them in said Act for completing said Canal, and the said Petition appearing reasonable, Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened That the said Robert McGregore and William Duncan Esquires and those persons who may hereafter become their associates have a further term of two years, next after the expiration of the four years mentioned in said Act, allowed them for the purpose of completing the said Canal.—

[CHAPTER 15.]

State of }
New Hampshire. }

AN ACT TO ANNEX A CERTAIN GORE OF LAND TO CAMPBELL'S GORE IN THE COUNTY OF HILLSBOROUGH.

[Approved June 21, 1797. Original Acts, vol. 15, p. 86; recorded Acts, vol. 10, p. 224.]

Whereas a Petition hath been presented to the General Court, praying that a gore of land laying between Campbell's gore and the Town of Washington, may be annexed to said Campbell's gore, for the purpose of Taxation, which prayer appearing reasonable.

Therefore

Be it Enacted by the Senate and House of Representatives in General Court convened, that a small gore of Land, laying between Campbell's gore and the Town of Washington, commonly known by the name of Wheeler's gore: Be, and it hereby is, annexed to the said Campbell's gore, and that the Selectmen of said Campbell's gore be, and they hereby are, Authorized to Tax the said gore of Land, in the same way and manner in all Taxes, to which they themselves are liable to be Taxed; any Law Usage or Custom to the contrary notwithstanding.

[CHAPTER 16.]

State of }
New Hampshire. }

AN ACT REGULATING THE APPOINTMENT OF AIDS-DE CAMP TO THE CAPTAIN GENERAL, AND DETERMINING THE RANK OF THE ADJUTANT GENERAL.—

[Approved June 21, 1797. Original Acts, vol. 15, p. 87; recorded Acts, vol. 10, p. 227. Laws, 1805 ed., p. 263.]

Be it enacted by the Senate and House of Representatives in General Court convened, that the Captain General be and hereby is Authorised to appoint such number of Aids-de Camp as he shall think necessary and that they be commissioned by the Governor, with the rank of Lieutenant Colonel Commandant.—

And be it further enacted that the Adjutant General shall have the rank of Brigadier General—

[CHAPTER 17.]

State of }
New Hampshire. }

AN ACT FOR RENDERING THE DECISION OF CIVIL CAUSES MORE SPEEDY AND LESS EXPENSIVE THAN HERETOFORE

[Approved June 21, 1797. Original Acts, vol. 15, p. 88; recorded Acts, vol. 10, p. 240; Laws, 1805 ed., p. 75; id., 1815 ed., p. 90; id., 1830 ed., p. 55.]

Whereas it is the duty of the Legislature to provide means whereby the decision of civil Causes should be as speedy and attended with as little expence as the nature of things will admit.

Be it enacted by the Senate and House of Representatives in General Court convened, that when any persons, who may have a dispute of what nature soever, shall agree to have the dispute determined by Referees mutually chosen by the parties for the purpose it shall and may be lawful for the person or persons making the demand in the action to make out a particular statement thereof under his or their hands in writing and to lodge the same with some one Justice of the Peace of the County in which either of the parties may dwell; and the said Justice of the Peace on application of the Parties for the purpose shall make out an Agreement to be annexed to the aforesaid demand and to be by them or their lawful Agents or Attornies subscribed and acknowledged in substance as follows

Town of.....in the County of.....179
 Know all Men that A B of.....in the County of

.....and C D of.....in the County of.....have agreed to submit the demand made by the said A B against the said C D which is hereunto annexed (and all other demands, as the case may be) to the determination of E F, G H, and I K, the report of whom or the major part of whom being made as soon as may be to any Judicial Court to be holden in and for the said County of.....Judgment thereon to be final; and if either of the parties shall neglect to appear before the Referees after proper notice has been given of the time and place appointed by the Referees for hearing the parties in this action the Referees shall have power to proceed ex Parte

A B

C D

.....ss;.....179.... Then the above named A B and C D personally appeared and acknowledged the above Instrument to be their free Act

L M Justice of the Peace

And be it further enacted that there shall be paid by the person or persons making the demand fifty Cents unto the Justice of the Peace who may make out the Agreement and take the acknowledgment thereof as aforesaid which sum shall be added to the Costs that may arise in the action for the determination of which the agreement and acknowledgment were made as aforesaid.—

And be it further enacted that the determination of the Referees who may be appointed agreeably to this Act shall be made known to the next Judicial Court to be holden in and for the County in which the Justice of the Peace may have lived at the time he issued the Agreement as aforesaid; and the said Court to whom the Report of the Referees may be made as aforesaid shall have cognizance thereof in the same way and manner and the same doings shall be had thereon as though the same had been made by Referees appointed by a Rule of the same Court; and the Justices of said Court to which a Report shall be made by Referees appointed agreeably to this Act shall be entitled to one Dollar for each report so made and the Clerk of the Court for recording the same shall receive twenty five Cents.

And be it further enacted that where the parties shall agree that the determination of the Referees may be made known prior to its being made to the said Judicial Court it shall and may be lawful for the Referees to make the determination known to the parties without its affecting in any degree the validity thereof; and if the parties shall then agree to settle their dispute according to the determination of the Referees or otherwise without further process the said Referees may deliver to the parties the papers belonging to them respectively, otherwise to make report of their doings as before provided for in this Act.—

And be it further enacted that the Referees that may be appointed in pursuance of this Act shall be vested with all the authority and power that Referees have been or may hereafter be vested with who have been or shall be appointed by a Rule of Court; and Witnesses may be summoned to appear before them and be sworn in the same manner as is or may be prescribed by Law for summoning witnesses before Referees appointed by a Rule of Court as aforesaid.

[CHAPTER 18.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE A SOCIETY IN AMHERST BY THE NAME OF
THE AMHERST LIBRARY SOCIETY—

[Approved June 21, 1797. Original Acts, vol. 15, p. 89; recorded Acts, vol. 10, p. 244.]

Whereas a general diffusion of Useful knowledge in a land of Liberty has a happy tendency to give security to Government and make better men and better Citizens—Therefore,

Be it Enacted by the Senate and House of Representatives in Gen^l Court Convened—That Sam^l Dana, Joshua Atherton, W^m Gordon, Jeremiah Barnard, Sam^l Wilkins, Dan^l Campbell, John Shepard, Dan^l Warner, Rob^t Fletcher, Jon^a Smith, Sam^l Curtis, Eph^m Barker, Nathan Cleves, David Danforth, Amos Elliott, Elisha Felton, W^m Fisk, Tim^o Hartshorn, Tim^o Nichols, W^m Read, James Roby, John Watson, and Eben^r Wakefield, all of said Amherst, Jacob Burnap, Mathew Thornton, and Tim^o Taylor, of Merrimac, Solomon Moore, of New Boston, Moses Bradford, of Francestown, W^m Peabody, W^m Crosby, Jon^a Buxton, and Moses Towne, of Milford, and their Associates proprietors of said Library, and all such as may hereafter become proprietors of the Same. Be and they hereby are Incorporated. Into a body politic and corporate by the Name of the Amherst Library Society with all the privileges and powers incident to Corporations and may enjoin penalties of Disfranchisement or fine not exceeding ten Dollars for each offence and may make and receive Subscriptions grants and Donations of Real or personal Estate not exceeding three thousand dollars for the purposes of their Association—

And be it further enacted—That said society be and they hereby are Authorised to assemble at Amherst aforesaid on the first Monday in January in every Year or on any other day said proprietors may Appoint to Choose all such officers as may be found necessary for the orderly conducting the Affairs of said Corporation who shall continue untill others are chosen in their room, and that said

Corporation may assemble as often as they agree, for filling up vacancies which may happen in said offices and for transacting all other business Excepting Assessing and raising monies which shall be done allways at some annual Meeting and at no other time—At which Meetings they shall vote all Necessary sums for the defraying of the annual expence of said Library and for enlarging the same

And be it further Enacted—That said Society may at any meeting regularly called for that purpose have full power to Enact such rules orders and by laws as they shall think Necessary for the well ordering and good Governing of them selves and their Offices and the effectual securing said library and all things thereunto belonging

Provided the same be not repugnant to the Constitution and Laws of this State, and such Rules orders and by laws may repeal at their pleasure.

And be it further enacted That said Society may sue and be sued in all Actions which may concern them by the name of the Amherst library Society and prosecute and Defend the same to final Judgment and Execution

And be it further enacted That Samuel Dana Esq^r is hereby authorised And empowered to Call the first meeting of said proprietors at such time and place as he may appoint giving ten days notice thereof which Notice shall be in writing or by posting Notifications thereof at some publick place in the several Towns where the proprietors live and to preside therein untill some person shall be chosen for that purpose—

[CHAPTER 19.]

State of }
New Hampshire. }

AN ACT AUTHORISING THE SUPERIOR COURT OF JUDICATURE TO GRANT TO THE ADMINISTRATORS OF THE ESTATE OF RICHARD JENNESS A NEW TRIAL OR REVIEW IN A CERTAIN ACTION.—

[Approved June 21, 1797. Original Acts, vol. 15, p. 90; recorded Acts, vol. 10, p. 255. See act of January 26, 1790, Laws of New Hampshire, vol. 5, p. 504; and act of June 20, 1793, recorded Acts, vol. 8, p. 193. See additional act of December 18, 1797, *id.*, vol. 11, p. 32.]

Whereas Richard Jenness, Simon Jenness and Thomas Jenness Administrators of the Estate of Richard Jenness late of Rye in our County of Rockingham Esquire deceased have, by a petition, represented to the General Court that, at the Inferior Court holden at Exeter in and for said County on the second Tuesday of August Anno Domini one thousand seven hundred and eighty-six an Action of the Case was entered against said Administrators by James Seavey of said Rye Gentleman, in which Action Judgment was after-

wards rendered against them on a report of Referees that it has since appeared from evidence, not then in the power of said Administrators to obtain, that the said Judgment was wrong and erroneous and praying the Legislature to authorize the Superior Court of Judicature to grant them a new trial or review in said Action; which appears reasonable to be done.

Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened that the Justices of the Superior Court of Judicature be and they are hereby authorised and impowered on petition to them preferred, to take into Consideration all the Circumstances of the aforesaid Action and if in their opinion Justice shall require it to grant to the said Administrators a new trial or review thereof and the process on said review or new trial shall be the same as in other Cases; and either party dissatisfied with the Judgment of the Court of Common Pleas may appeal therefrom to the said Superior Court of Judicature— which said Court may sustain said appeal as in other Cases and issue execution accordingly any law usage or custom to the contrary notwithstanding.—

[CHAPTER 20.]

State of }
New Hampshire. }

AN ACT TO GIVE JURISDICTION TO THE TOWN OF STODDARD OVER A STRIP OF LAND INCLUDED WITHIN THE GRANTS OF THE TOWNS OF MARLO & GILSUM.

[Approved June 21, 1797. Original Acts, vol. 15, p. 91; recorded Acts, vol. 10, p. 257.]

Whereas the Inhabitants of the Town of Stoddard in the County of Cheshire have petitioned the General Court representing that they have suffered many inconveniences by reason of the grant of the Town of Marlo intersecting the grant of the town of Stoddard about two miles, and the Acts of their incorporation giving Jurisdiction to both of said towns over the same land—Wherefore they prayed that the strip of land which was cut off from said Stoddard by the grant of said Marlo might be annexed to, and considered under the Jurisdiction of the town of Stoddard— Also that the General Court would settle the Jurisdictional line between said Stoddard and the town of Gilsum—

Which appearing reasonable—

Therefore,

Be it Enacted by the Senate and House of Representatives in General Court convened that all that strip of land claimed by said Stoddard, lying on the Easterly side of the curve line of Mason's

Patent, as run by Major Joseph Blanchard, which strip is included in the grants of said Towns of Marlo and Gilsum, (excepting what is included in the Incorporation of Sullivan) with the Inhabitants living thereon, Be and they Hereby are set off from said Marlo and Gilsum and annexed to said Stoddard—

And the said Inhabitants shall be entitled to all the privileges and subjected to all the Burthens in common with the other Inhabitants of said Stoddard—And the aforementioned strip of land, claimed by said Stoddard on the East side of said Patent line and included in the grants of said Marlo and Gilsum with the Inhabitants thereon shall forever hereafter be considered under the Jurisdictional authority of said Stoddard to all intents & purposes, any law usage or Custom to the contrary notwithstanding—

Provided nevertheless that this Act is not intended and shall not be construed in any manner to affect the private property of the soil within the limits of said strip hereby set off and annexed to Stoddard as aforesaid—

[CHAPTER 21.]

State of }
New Hampshire. }

AN ACT TO GIVE TO NATHAN WINN A NEW TRIAL IN REVIEW OF A CERTAIN ACTION OF TRESPASS, REVIEWED BY ASA DAVIS & OTHERS, AGAINST HIM AT THE SUPERIOUR COURT OF JUDECATURE HOLDEN AT AMHERST IN THE COUNTY OF HILLSBOROUGH, OCTOBER TERM 1792

[Approved June 21, 1797. Original Acts, vol. 15, p. 92; recorded Acts, vol. 10, p. 270.]

Whereas Nathan Winn of Nottingham west, hath preferred a Petition to the General Court of this State, Setting forth "That he commenced an Action against Asa Davis & others of said Nottingham west, at the Court of common Pleas holden at Amherst, in The County of Hillsborough in December, AD 1787 for a high handed Trespass, to wit, for puling down with Force and Arms a dwelling House, which the said Nathan had provided for a Shelter for himself, & Family, and totally defrayed the same, the Night before the said Nathan, was about to remove his Family into it; And also for defraying and carrying away a considerable Quantity of Property belonging to him the said Nathan, at that Time in said House, That at the superiour Court of Judicature holden in said County in November 1789, he recovered a Judgment of the same Court against said Asa Davis & others, for one hundred & Six Dollars, and Sixty Seven Cents, Damage, and Cost of Courts taxed at Seventy Dollars, and Sixty seven Cents; That the said Asa Davis

& others, afterwards reviewed said Action, which Review was continued several Courts and finally at the Setting of the said superiour Court, in said County October Term 1792, when the Jury again intended, and in their Apprehension did give a Verdict in the said Nathan's Favour; But for a Sum less than the former Judgment & Cost, which Verdict, when put into Form by the Court, was for Reversal of the former Judgment in Part, and Costs for the Plaintiffs in Review, which Cost, with the small sum reversed, amounted to one hundred, & Sixty three Dollars; That the Jury, as soon as they understood, the Court's Construction of their Verdict, were greatly dissatisfied and manifested their Dissatisfaction the first Opportunity; When a Motion was made to the Court to recommit the Cause to the same Jury, but the Verdict being recorded, the Court thought it out of their Power, and the Execution issued in Favour of said Davis & others for that sum; but the said Davis & others being sensible that they had obtained their Judgment only in Consequence of a Misunderstanding of the Cause by the Jury, never attempted to extend their Execution, untill the Month of May last past, when they compelled the Petitioner to pay the whole Contents Thereof, whereby he has been greatly distressed, and as he conceives greatly injured. Therefore Praying the Interposition of the Legislature to grant him the Benefit of a New Trial of said Writ of Review, brought by said Davis & others against him, that he may not be obliged to submit finally to a Judgment, obtained by Mistake, contrary to the Intention of the Jury. The Facts stated in said Petition appearing to be true, and the Prayer of said Petition reasonable, Therefore, Be it enacted by the Senate and House of Representatives, in general Court convened, That the Clerk of the said Superiour Court be authorised to reenter the said Action of Review, at the next Term of the said Superiour Court to be holden in said County, that the same stand in the said Court for Trial, as though it had never been tried on review That the said Nathan give the said Asa and others in the said Writ named, Notice of the intended New Trial, Thirty days before the Setting of the said Superiour Court: by Serving them with a Copy of this Act, or Leaving an attested Copy thereof, at the last & usual Places of Abode of the said Asa & others, which shall be deemed sufficient Notice, and each of the Parties shall have Liberty to bring forward a Copy of the Case, and have the Benefit of any new and further Evedence on said Trial; And the said Superiour Court of Judecature in said County, at their next Term in said County, are hereby authorised & enabled, to sustain, hear & determine on said Action of Review in the same Manner & Form, as though the same had not been tried, and to grant Execution accordingly, Any Law, Usage or Custom to the contrary thereof notwithstanding

[CHAPTER 22.]

State of }
New Hampshire. }

AN ACT GRANTING TO THE HEIRS OF JOSEPH HIXON, DECEASED, THE RIGHT OF APPEAL FROM A DECREE OF THE JUDGE OF PROBATE OF WILLS, &c IN THE COUNTY OF ROCKINGHAM, TO THE SUPERIOUR COURT OF JUDICATURE IN THE SAME COUNTY.

[Approved June 21, 1797. Original Acts, vol. 15, p. 93; recorded Acts, vol. 10, p. 275.]

Whereas, Gilbert Horney, Mary Underwood, David Hill, David Hill attorney to Betty Hill, & to Prudence Gerrish as they are Heirs of Joseph Hixon late of Portsmouth Mariner deceased, Have preferred a Petition to the General Court of this State, Setting forth, among other Things, That George Hart of said Portsmouth, Administrator de Bonis non of the Estate of the late Joseph Hixon, deceased, did obtain a Decree of the Judge of Probate of Wills, &c in and for the County of Rockingham, for a Licence to sell the real Estate of the said Joseph Hixon, in the Absence & without the Knowledge of said Heirs, when it appeared by the Inventory & List of Claims against said Estate, that there was Sufficient Personal Estate of the deceased to discharge all the Just Debts of said Deceased, & that the said Heirs had no opportunity of Appealing from said Decree, Praying for Relief in the Premises, and that the Legislature would permit them to make an Appeal from the Decree of the said Judge of Probate of Wills &c Granting to the said George Hart Licence to sell the real Estate of the said Joseph deceased, they giving Bonds to prosecute the said Appeal to Effect, And the Facts stated in said Petition appearing to the said Legislature to be True and the Prayer of said Petition reasonable

Therefore be it enacted by the Senate and House of Representatives in General Court convened, that Gilbert Horney, Mary Underwood David Hill Betty Hill, and Prudence Gerrish, Heirs of the said Joseph Hixon, deceased, Have Liberty to enter their appeal in Writing from the Decree of the said Judge of Probate of Wills, &c for the County of Rockingham, Granting unto George Hart, Administrator, de bonis non, of the Estate of the said Joseph, a Licence to sell the real Estate of the said Joseph, at the next Superiour Court of Judicature to be holden at Exeter within & for the County of Rockingham on the third Tuesday of September next, in the same Manner and Form, as though the same had been demanded and granted within the Time prescribed by Law, & That The said Superiour Court of Judicature, Sustain, hear and determine on said Appeal & decree thereon, as to Law & Justice shall appertain, any Law, Usage or Custom to the contrary thereof Notwithstanding.

[CHAPTER 23.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS FOR THE PURPOSE OF BUILDING AND KEEPING IN REPAIR A BRIDGE OVER PEMIGAWASSETT RIVER BETWEEN THE TOWNS OF NEW HAMPTON AND NEW CHESTER.

[Approved June 21, 1797. Original Acts, vol. 15, p. 94; recorded Acts, vol. 10, p. 278.]

Whereas a Bridge over Pemigawassett River between the Towns of New Hampton and New Chester would be of public Utility and whereas Cutting Favour and Ebenezer Wells have petitioned the General Court that they may have the exclusive right of building a Toll-bridge over said river between the Towns aforesaid

Therefore

Be it enacted by the Senate and House of Representatives in General Court convened that the said Cutting Favour and Ebenezer Wells together with those their associates who are, or shall become proprietors in said bridge, so long as they continue to be proprietors thereof shall be and hereby are incorporated into a body politic for the purpose aforesaid under the name of the proprietors of Favour's bridge, and by that name may sue and be sued, prosecute and be prosecuted to final judgment and execution, and do and suffer all matters and things which bodies corporate may or ought to do or suffer; and the said Corporation shall and may have and use a common seal and the same may break, renew and alter at pleasure.

And be it further enacted that the said Cutting Favour shall call the first meeting of said Proprietors, to be holden at his house, by an advertisement posted in some public place in the Town of New Hampton also in the Town of New Chester aforesaid which Advertisement shall be posted at least six weeks prior to the day of meeting and shall set forth the particular matters to be acted upon, and the proprietors by a vote of the majority of those present or represented at said meeting, allowing one vote to each share in all cases, shall choose a Clerk who shall be sworn to the faithful discharge of his Office, and they shall also agree on a method of calling meetings in future and at the same or at any subsequent meeting may elect such Officers and make such Rules and Bye-laws as they shall deem necessary or convenient for the regulation and government of said Corporation for carrying into effect the purposes aforesaid and for collecting the Toll herein after granted and the same Rules and Bye-laws may cause to be executed and may annex penalties to the breach thereof, not exceeding ten dollars for any one

breach; provided the said Rules and Bye laws are not repugnant to the Constitution and laws of this State, and all representations at any meeting of said proprietors shall be proved by writing signed by the person to be represented which shall be filed with the Clerk; and this Act and all rules and Bye laws, Regulations and Proceedings of said Corporation shall be fairly and truly recorded by the Clerk in a book or books to be kept for that purpose, and all fines or penalties may be recovered before any Court proper to try the same.

And be it further enacted that there be and hereby is granted to the said Cutting Favour and Ebenezer Wells together with such their Associates who are or shall become Proprietors in said bridge the right of building and keeping in repair a bridge over the aforesaid River at the place they may judge most suitable for the purpose within one mile of the said Favours dwelling house; and when the said proprietors have determined on the place for erecting the bridge, they shall have and there hereby is granted to them, their Successors, Heirs & Assigns the exclusive Right or privilege of building and keeping in repair a bridge or bridges over said river any where within two miles of the place by them determined on as aforesaid; and the said Proprietors are hereby authorised and empowered to purchase and hold in fee simple any land near said River which may be necessary for carrying into effect the purpose intended by this Act; and any Proprietor may transfer his share or shares of said bridge by deed duly executed, acknowledged and recorded in the Records of said Corporation.

And be it further enacted that to reimburse the money expended by said Corporation in building and keeping in repair said bridge there be and hereby is granted to the proprietors a Toll according to the Rate and Rules following namely for each foot passenger one Cent, for each horse and rider three Cents, for each horse and Chaise, Chair or Sulkey ten Cents, for each sleigh drawn by one horse four Cents, for each sleigh drawn by more than one horse six Cents, for each Curricule twelve Cents, for each Coach, Charriot, Phaeton or other four wheeled Carriage for Passengers twenty Cents, for each Cart or other Carriage of Burthen drawn by one beast four Cents, for each Cart, Waggon or other Carriage of burthen drawn by two beasts ten Cents, for each Carriage of burthen drawn by more than two Beasts twenty Cents, for each sledge or sled drawn by one beast four Cents, for each sledge or sled drawn by two beasts ten Cents, for each sledge or sled drawn by more than two beasts twenty Cents, for each horse or neat Creature exclusive of those rode on or in Carriages two Cents, for sheep and swine half a Cent each; and to each team one person, and no more, shall be allowed to pass as a Driver free of Toll:— And at all times when the Toll-gatherer shall not attend his duty the Gate or Gates shall be left open.

And be it further enacted that if any tax or assessment made by said Corporation for building or repairing said bridge on the several shares shall be unpaid at the time limited for the payment thereof, they may proceed to sell the delinquent's share or shares at public Auction as the proprietors shall agree and determine; and if any overplus remain after paying the tax and incidental Charges, the same shall be returned to the delinquent Proprietor.

And be it further enacted that if the said Proprietors after having built said bridge shall at any time neglect to keep the same in Repair, or if they neglect or fail to build and compleat said bridge within the term of five years from and after the passing of this Act, then this Act and every clause thereof shall be null and void.

Provided nevertheless that nothing in this Act shall be construed to effect any Grant or Grants heretofore made—

[CHAPTER 24.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AND AMENDMENT OF AN ACT INTITLED AN ACT TO INCORPORATE A CERTAIN TOWNSHIP BY THE NAME OF GOSHEN—

[Approved June 22, 1797. Original Acts, vol. 15, p. 95; recorded Acts, vol. 10, p. 225. The act referred to is dated December 27, 1791, Laws of New Hampshire, vol. 5, p. 815. See act of December 8, 1796, recorded Acts, vol. 10, p. 211.]

Whereas sundry Petitions have been presented to the General Court setting fourth that when the act for incorporating the Town of Goshen was Draughted a mistake took place and prayed that said mistake might be Rectified which appearing reasonable—
Therefore

Be it enacted by the senate and house of Representatives in General Court convened that the bounds & lines of said Goshen be as follows (viz) Beginning at a stake and stones on fishersfield line about one Hundred & sixty rods north of Coreys road so called from thence Straight to the northeast corner of lot number nine mentioned in Goshens act of incorporation from thence as said act directs untill it comes to the south east corner of said Goshen thence north untill it intersects fishersfield line thence on said fishersfield line to the first bounds mentioned and be it Further Enacted that the above described bound & line shall hereafter be considered as the bounds & lines of the said Township of Goshen any thing in the afore mentioned act to the Contrary notwithstanding

[ORDERS, RESOLVES AND VOTES OF A LEGISLATIVE NATURE PASSED
DURING THIS SESSION.]

1797, June 20.

The Committee appointed to report in what manner the four hundred Law books shall be disposed of Reported that one be given to each Town in this State which will amount to about two hundred, One to the Superior Court, one to each of the Courts of Common pleas, one to each Probate Court and one to the district Court amounting to twelve—To the Governor and Council one each. The Secretary Treasurer and Deputy Secretary one each amounting to nine, Attorney General one, Congress one—The Members of the Senate & House of Representatives the Clerk & Assistant Clerk one Each amounting to one hundred & fifty five— making in the whole three hundred and Seventy eight— which report being read and considered was received and accepted—

[House Journal, 1794-99, p. 465. Senate Journal, 1797-1800, p. 34.]

1797, June 21.

The Committee to examine into the constitutional qualifications of the Members of this House— Reported that Daniel Warner Esq^r at the time of his Election held and still continues to hold the Office of Auxillary collector under the Supervisor of the Excise of the United States and that Major John Mann at the time of his Election held and still continues to hold the Office of Deputy Postmaster under the Postmaster general of the United States and also, that John Smith Esq^r at the time of his Election held the Office of Deputy Postmaster under the Postmaster General of the United states which in the Opinion of your Committee are disqualified of holding a seat in the Legislature—which report was taken under consideration and after some debate the following question was put—Does the holding an Office under the United states at the time of Election as Representative to the General Court operate as a Constitutional disqualification for holding a Seat in this House, on resigning said Office—Voted that it does not—after which the following question was put—Is Daniel Warner Esq^r qualified to hold a Seat in this House, he now holding the Office of Auxilliary collector of Excise under the Supervisor of the United States— Voted that he is not qualified to hold a seat in this House—

[House Journal, 1794-99, p. 477.]

[*Second Session, Held at Portsmouth, November 22, 23, 24, 25, 27, 28, 29, 30; December 1, 2, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 1797.*]

[CHAPTER 1.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF
THE PROPRIETORS OF THE COLUMBIAN LIBRARY IN TEMPLE

[Approved December 2, 1797. Original Acts, vol. 15, p. 96; recorded Acts, vol. 10, p. 297.]

Whereas a general diffusion of useful knowledge in a land of Liberty has a happy tendency to preserve freedom, and make better men and better Citizens

Be it therefore Enacted by the Senate and House of Representatives in General Court convened that Noah Miles, Ebenezer Edwards, and Benjamin Cragin and their associates proprietors of said Library and all such as may hereafter become proprietors of the same, be, and they hereby are Incorporated into a body Politick by the name of the proprietors of the Columbian Library in Temple with continuation and succession forever, and in that name may sue and be sued in all actions personal, and may prosecute and defend the same to final Judgment and execution and they are hereby vested with all the powers and privileges incident to corporations of a similar nature; and may enjoin penalties of disfranchisement or fine not exceeding three dollars for each offence to be Recovered by said Society in an action of debt to their use in any Court in said State proper to try the same, and they may make, purchase, and Receive subscriptions, grants, and donations of personal Estate not exceeding the sum of two Thousand Dollars for the purpose of their association

And be it further Enacted that said Society be, and they hereby are authorised to assemble at Temple aforesaid on the first monday in October annually to choose all such Officers as may be found necessary for the orderly conducting the affairs of said corporation who shall continue in Office until others are chosen in their Room; and that said corporation may assemble as often as may be found necessary for filling up any vacancies which may happen in said Offices, and for transacting all other business excepting the Raising of Monies which shall be done always at their Annual meeting and at no other time at which meeting they shall vote all necessary sums for defraying the annual expence of preserving said Library, and for enlarging the same and shall make and enact such Rules and by laws for the government of said Corporation as may from time

to time by them be found Necessary provided the same be not Repugnant to the Constitution and Laws of this State—

And be it further Enacted that Noah Miles and Ebenezer Edwards or either of them are hereby authorised and impowered to call the first meeting of said proprietors at such time and place as they May appoint by posting up a notification of the same at the publick Meeting-house in said Temple at least ten days before the time of said meeting, and the said proprietors at said meeting shall have all the powers to enact such by laws and choose all such Officers as they may or can do at their annual meeting—

[CHAPTER 2.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE SOCIAL LIBRARY IN BOSCAWEN

[Approved December 2, 1797. Original Acts, vol. 15, p. 97; recorded Acts, vol. 10, p. 301.]

Whereas a general diffusion of useful knowledge in a land of Liberty has a happy tendency to preserve freedom, and make better men and better Citizens

Be it therefore Enacted by the Senate and House of Representatives in General Court convened that Samuel Wood, Enoch Gerish, Peter Kimball, Benjamin Little, Timothy Dix and others their associates proprietors of said Library, and all such as may hereafter become proprietors of the same, be, and they hereby are, Incorporated into a body Politick by the name of the proprietors of the Social Library in Boscawen with continuation and Succession forever, and in that name may sue and be sued in all actions personal, and may prosecute and defend the same to final Judgment and execution: and they are hereby vested with all the powers and privileges incident to corporations of a Similar nature, and may enjoin penalties of disfranchisement, or fine not exceeding four dollars for each offence, to be Recovered by said Society in an action of debt to their use in any Court proper to try the same. And they may make, purchase and Receive Subscriptions, grants and donations of personal Estate not exceeding one Thousand dollars for the purpose and use of their Association

And be it further Enacted that said Society be, and they hereby are authorised to assemble at Boscawen aforesaid on the first monday in October annually to Choose all such Officers as may be found necessary for the orderly conducting the affairs of said Corporation who shall continue in Office until others are chosen in their Room; and that said corporation may assemble as often as may be found

necessary for filling up any vacancies which may happen in said Offices, and for transacting all other business excepting the Raising Monies which shall be always done at their annual Meeting, and at no other time; at which time they shall vote all necessary sums for defraying the annual expence of preserving said Library and for enlarging the same. And said corporation shall have power to make such Rules and by laws for the government of said Society as may from time to time by them be found necessary provided the same be not Repugnant to the Constitution and Laws of this State—

And be it further Enacted that Samuel Wood and Peter Kimball or either of them are hereby authorised and impowered to call the first Meeting of said proprietors at such time and place as they may appoint by posting a Notification for that purpose at each meeting house in said Boscawen at least fifteen days prior to said meeting, and the said proprietors at said meeting shall have the same power to choose Officers and make by laws as they have by this act at their annual meeting

[CHAPTER 3.]

State of }
New Hampshire. }

AN ACT FOR ALTERING THE TIME OF HOLDING THE ANNUAL TOWN MEETING IN THE TOWN OF NOTTINGHAM.

[Approved December 7, 1797. Original Acts, vol. 15, p. 98; recorded Acts, vol. 10, p. 329.]

Whereas the Town of Nottingham in the County of Rockingham in said State, at their annual Town Meeting, on the last Tuesday of March A. D. 1797, passed a vote impowering their Representative to apply to the General Court to get an Act passed to alter the time of holding their annual Town Meeting from the last Tuesday in March to the first Tuesday in March:

Therefore, Be it enacted by the Senate and House of Representatives in General Court convened, that from and after the passing of this Act, the time of holding the annual Town Meeting in said Nottingham, be on the first Tuesday of March, any Law, Usage or Custom to the contrary notwithstanding.

[CHAPTER 4.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE NORTHEAST PART OF NEWHAMPTON INTO A TOWN AND TO INVEST THE INHABITANTS THEREOF WITH ALL SUCH PRIVILEGES AND IMMUNITIES AS OTHER TOWNS IN THIS STATE HOLD AND ENJOY.

[Approved December 7, 1797. Original Acts, vol. 15, p. 99; recorded Acts, vol. 11, p. 11.]

Whereas a petition signed by a number of the Inhabitants of the Northeast part of New Hampton has been preferred setting forth, That many inconveniences arise in their present Situation with respect to their transacting Town business— They therefore prayed that a part of said Town included in Certain bounds, herein after recited might be sett off as a Town, and be Incorporated by the name of Centre Harbour.

Therefore,

Be it enacted by the Senate and House of Representatives in General Court, Convened, that all the Lands within the following limits—viz.—To begin at the Northeasterly Corner of Newhampton, thence on the line between Meredith and New-Hampton, to Measley Pond, so called, thence to Measley Pond brook, thence up the middle of said brook, to Long Pond, thence up the middle of said Long Pond, to the Inlet at the head of said Pond, thence North, thirty five degrees West to Holderness, thence East on said Holderness line, to the Southeast Corner of said Holderness, thence North on said Holderness line to the Westerly Corner of Moultonborough, thence on the line between Moultonborough and New hampton to the bounds first Mentioned.—Be, and the same are hereby Incorporated into a Town by the name of Centre Harbour, and the Inhabitants who reside, and shall hereafter reside, within the before mentioned boundaries are made, and Constituted a body politic and Corporate and invested with all such Powers, privileges, and immunities which Towns in this State by Law are entitled to enjoy to Remain a distinct Town, and have continuance and succession forever.—

And be it further enacted, that Nathan Hoit Esquire be and hereby is authorized and empowered to call a Meeting of said Inhabitants for the purpose of choosing all Necessary Town Officers, and shall preside therein until a Moderator shall be chosen to Govern said Meeting, which shall be warned by posting up Notice therefor, at some Publick place, in said Centre Harbour, fourteen days prior to the day of holding the same—And the annual Meetings shall be holden on the second Monday of March—

Provided always that Nothing in this Act contained shall in any

wise release, the Inhabitants of said Centre Harbour from paying their proportion of all debts now due from the Town of Newhampton, or any Taxes now assessed on them as Inhabitants of said Town of Newhampton but the same may be levied and collected from the Inhabitants of said Centre Harbour in the same way and Manner as if this Act had not been passed.—

[CHAPTER 5.]

State of }
New Hampshire. }

AN ACT TO RESTORE STEPHEN EVANS TO HIS LAW.—

[Approved December 9, 1797. Original Acts, vol. 15, p. 100; recorded Acts, vol. 10, p. 314. See act of same title, passed June 20, 1792, recorded Acts, vol. 6, p. 544.]

Whereas Stephen Evans of Dover in the County of Strafford Esquire hath petitioned this Court setting forth That at the Superior Court in the County of Strafford April Term, Anno Domini 1786, he was by Misfortune absent and was defaulted in an Action which the Administrators of the Estate of Ephraim Hanson (then deceased) had commenced against him and Judgment rendered against him for the whole sum and Interest and that said Judgment has since been renewed, and is in force against him for more than Two thousand dollars, when on a trial of the Merits, he states that nothing would appear due from said Evans, and praying for relief by a review or new Trial of said Actions— which prayer appearing reasonable.

Therefore,

Be it enacted, by the Senate and House of Representatives in General Court, Convened, That the said Stephen Evans be, and hereby is empowered, at the next Superior Court, in and for the County of Strafford to bring forward his Writs of Review (to wit) in the Action which John Wentworth and John B. Hanson as Administrators of the Estate of Ephraim Hanson deceased commenced and in which Judgment was rendered by default against said Evans at the Superior Court in said County at April Term Anno Domini 1786— and prosecute the same against the present Administrator, and also in the Action on said Judgment which was defaulted at the Superior Court February Term in the present year, in the name of Abraham Hanson of Shapleigh, Administrator de bonis Non of the Estate of said Ephraim Hanson, and to plead to the same, in the same manner as he might have done at the commencement of said Actions. And the Judges of said Superior Court, are hereby authorized to hear, try, and render judgment in said Actions in the same manner, that they do in Actions of review where an issue has before been joined to the Country, and issue Executions accordingly.—

[CHAPTER 6.]

State of }
New Hampshire. }

AN ACT TO AUTHORISE ABIGAIL JOHNSON TO CONVEY CERTAIN LAND.

[Approved December 9, 1797. Original Acts, vol. 15, p. 101; recorded Acts, vol. 10, p. 359.]

Whereas Abigail Johnson of Hampstead in the County of Rockingham Widow hath petitioned the General Court, stating that her late husband Henry Johnson late of Hampstead deceased, bargained and sold to John Calfe of Hampstead aforesaid Esquire four acres of land lying in Hampstead, on the Southwesterly side of the highway leading from Hampstead Meeting house to Chester and on the Southwesterly end of eight acres he then owned on that side of the way and bounded Northwesterly by land of Joseph Kimball, Southeasterly and Southwesterly by land of the said Calfe and Northeasterly by a stone wall which divides it from the remaining four acres, and received payment in full for the same: That the said Johnson died without executing a deed of said Land, and prayed that she might be authorised by a special act to make and execute to said Calfe as good and as valid a Deed of said four Acres of land as the said Henry in his life time could have done that thereby Justice might be done to the said Calfe and the desire of the deceased as by him expressed the day before his death carried into effect— On which Petition a day of hearing was granted and the facts therein stated being proved, and the prayer of said petition reasonable—

Therefore

Be it enacted by the Senate and House of Representatives in General Court convened that the said Abigail Johnson be, and hereby is authorised and impowered to execute to the said John Calfe his Heirs and Assigns a deed of the said four Acres of land which shall be as good and as valid to all intents and purposes for conveying the right and title of said deceased, as if given by him in his life time any law, usage or custom to the contrary notwithstanding.

[CHAPTER 7.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE CONGREGATIONAL SOCIETY IN LONDONDERRY—

[Approved December 9, 1797. Original Acts, vol. 15, p. 102; recorded Acts, vol. 10, p. 373. See act of June 20, 1809, uniting the first parish in Londonderry with the Congregational Society, recorded Acts, vol. 18, p. 224.]

Whereas Jonathan Adams and others Inhabitants of Londonderry in said State have petitioned the General Court sitting forth that there are only two Societies in Londonderry established for publick Worship and they are both of the Presbyterian denomination and that they the petitioners cannot conscientiously join and associate with them in their religious Worship, and being desirous of supporting the Gospel, and worshipping God, in a publick manner, agreeably to the dictates of their own reason and consciences, and in a Corporate capacity of contracting with and settling a minister of their own choice and persuasion.—

Wherefore they prayed to be erected into a distinct parish, the prayer of which Petition after due notice given and mature consideration had, appearing to be consonant to the Constitution and the unalienable rights of Men.—

Therefore

Be it enacted by the Senate and House of Representatives in General Court Convened that the Petitioners viz^t Jonathan Adams William Miltimore, Daniel Miltimore, James Miltimore, Jonathan Wallace James Doak, Robert Ramsey, William Wallace, John Miltimore, John Neal 2^d, Daniel Aiken, John Hunter, Jonathan Adams Jun^r, William Adams, James Adams, Nathan Stinson, Humphra Morss, Isaac Thom, Robert Willson William Humphry, Benjamin T. Humphrey, Robert Clendenin, Robert Dinsmoor, Robert McMurphy Robert McMurphy Jun^r John Neal, Levi Neal, Robert McNeil, William McNeil, James McGregor, Edmund Black, Robert Clark, James Palmer James Palmer Jun^r Andrew Moor, David Patterson, William Eayers, John Prentice, William Moor, John Miltimore Jun^r John Cockran, Peter Cockran John Clark, Thomas McKenley, Benjamin Palmer Stephen Reynolds, John H. Clendenin, David Clark John Dodge, John Burnham, Joshua Dodge, John Slingsby, Henry Downs, Charles Cox, Robert Rogers John Boyes, William Eayers Jun^r James Ramsey—William Cooper, with such others as may hereafter become Members of said Society be and they hereby are erected into a body Politic and Corporate with Continuance and succession forever by the name of, The Congre-

gational Society, and that the persons afore named with such as may belong to the same Parish be enfranchised and invested with all such rights, privileges and immunities as any other Parish within this State hold and enjoy, saving that the members of said Parish shall join with the Inhabitants of said Town in election of all Officers for the State County, and town of said Londonderry, and in transacting all Town affairs.—

And be it further Enacted that all persons now Inhabitants of said Londonderry or which may in future become, Inhabitants; thereof may at any time hereafter become members of said Society by entering their names with the Clerk of said Parish and thereby signifying their desire to belong to the same shall be deemed members thereof and entitled to all the privileges, and subjected to all the Burdens of said Parish in Common with the Parishioners of said Society And John Prentice Esquire of said Londonderry is hereby authorized to call and preside at the first meeting of said Parishioners for the choise of all necessary and customary Officers giving fourteen days notice of the time, place, and design thereof And the Officers so chosen shall be vested with similar powers, with the like Officers in any other Parish in this State, and the annual Meeting of said Parishioners shall be held in future on the third tuesday of March and the other Meetings at such times as occasion may require—

Provided nevertheless, that two of said Petitioners namely John Prentice and Charles Cox, being episcopalians, do not alter their Sentiments or change their persuasion, but are willing to join for the purpose of Keeping up Public Worship and supporting the Gospel.—

[CHAPTER 8.]

State of }
New Hampshire. }

AN ACT FOR THE REGULATION OF MILLS.—

[Approved December 9, 1797. Original Acts, vol. 15, p. 103; recorded Acts, vol. 10, p. 409. Laws, 1805 ed., p. 339; id., 1815 ed., p. 396; id., 1830 ed., p. 186. See act of June 16, 1801, id., 1815, ed., p. 396.]

Be it enacted by the Senate and House of Representatives in General Court convened that the Owner of any grist mill, in this State, shall be entitled to one sixteenth part of any kind of Corn or Grain which shall be ground in his or her mill; and one sixty fourth part for bolting, as a Compensation therefor, and no more: And if any Owner of such Grist mill, or other person employed therein, shall take more than one sixteenth part of any Corn or Grain for grinding, or more than one sixty fourth part for bolting, as a Com-

pensation therefor, he or they shall forfeit and pay for every quart of Corn, Grain, Meal or Flour, so illegally taken, the sum of fifty Cents; and so in proportion for a less or greater quantity; said forfeiture to be recovered by action of debt, to the use of the Owner of such Corn, Grain, Meal or Flour, before any Court proper to try the same.

[CHAPTER 9.]

State of {
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE
PROPRIETORS OF THE NOTTINGHAM WEST SOCIAL LIBRARY

[Approved December 9, 1797. Original Acts, vol. 15, p. 104; recorded Acts, vol. 10, p. 411.]

Whereas a general diffusion of useful knowledge in a land of liberty has a happy tendency to preserve freedom and make better Men and better Citizens—Therefore Be it enacted by the Senate and House of Representatives in General Court convened that Jabez P. Fisher Samuel Marsh, Joseph Winn, Phinehas Underwood, Eleazer Cummings, John Pollard and Joseph Greeley and their Associates proprietors of said library and all such as may hereafter become proprietors of the same; be and they hereby are incorporated into a body politic by the name of the Proprietors of the Nottingham West Social Library with continuation and succession forever, and in that name may sue and be sued in all actions personal and may prosecute and defend the same to final judgment and execution, and they are hereby vested with all the powers and privileges incident to corporations of a similar nature, and may injoin penalties of disfranchisement, or fine not exceeding five dollars for each offence, to be recovered by said society in an Action of Debt to their use in any Court proper to try the same, and they may purchase and receive subscriptions, grants and donations of personal Estate not exceeding two thousand dollars for the purpose and use of their association.

And be it further enacted that said society be and they hereby are authorised to assemble at Nottingham West aforesaid on the second Monday in January annually to choose all such Officers as may be found necessary for the orderly conducting the affairs of said Corporation who shall continue in Office until others are chosen in their room; and that said Corporation may assemble as often as may be found necessary for filling up any vacancies which may happen in said Offices, and for transacting all other business excepting the raising monies which shall be always done at their annual Meeting, and at no other time at which time they shall vote all

necessary sums for defraying the annual expence of preserving said library and for enlarging the same.—And said Corporation shall have power to make such Rules and Bye-laws for the Government of said society as may from time to time by them be found necessary provided the same be not repugnant to the Constitution and Laws of this State.

And be it further enacted that Jabez P. Fisher and Joseph Greeley or either of them are hereby authorised and impowered to call the first meeting of said Proprietors to be held at the house of Lieu^t Reuben Spaulding in said Nottingham West by posting a notification for that purpose at the said Spaulding's house at least fifteen days prior to said Meeting and the said Proprietors at said meeting shall have the same power to choose Officers and make Bye-laws as they have by this Act at their annual Meeting.

[CHAPTER 10.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE PELHAM SOCIAL LIBRARY

[Approved December 9, 1797. Original Acts, vol. 15, p. 105; recorded Acts, vol. 11, p. 71. See act of June 15, 1811, altering the meeting of the proprietors of the library, recorded Acts, vol. 19, p. 14.]

Whereas a general diffusion of useful knowledge in a land of liberty has a happy tendency to preserve freedom, and make better Men and better Citizens:—Therefore

Be it enacted by the Senate and House of Representatives in General Court convened that John Ferguson, Josiah Gage, James Gibson, Aaron Hardy, Daniel Hardy and Nehemiah Butler and their Associates Proprietors of said Library and all such as may hereafter become Proprietors of the same, be and they hereby are incorporated into a Body politic by the name of the Proprietors of the Social Library in Pelham with continuation and succession forever, and in that name may sue and be sued in all actions personal and may prosecute and defend the same to final judgment and execution, and they are hereby vested with all the powers and privileges incident to corporations of a similar nature, and may enjoin penalties of disfranchisement or fine not exceeding four dollars for each offence, to be recovered by said Society in an Action of debt to their use in any Court proper to try the same, and they may make purchase and receive subscriptions, grants and donations of personal estate not exceeding One thousand dollars for the purpose and use of their Association.

And be it further enacted that said Society be and they hereby are authorised to assemble at Pelham aforesaid on the first Tuesday in October annually to choose all such Officers as may be found necessary for the orderly conducting the affairs of said Corporation who shall continue in office until others are chosen in their room; and that said Corporation may assemble as often as may be found necessary for filling up any vacancies which may happen in said offices, and for transacting all other business excepting the raising monies which shall be always done at their annual meeting, and at no other time, at which time they shall vote all necessary sums for defraying the annual expence of preserving said library and for enlarging the same:— And said Corporation shall have power to make such Rules and Bye-laws for the government of said Society as may from time to time by them be found necessary provided the same be not repugnant to the Constitution and Laws of this State.

And be it further enacted that John Ferguson and Aaron Hardy or either of them are hereby authorised and impowered to call the first meeting of said proprietors to be held at the house of John Ferguson in said Pelham by posting a notification at some public place in Pelham aforesaid at least fifteen days prior to said meeting, and the said Proprietors at said meeting shall have the same power to choose Officers and make Bye-laws as they have by this Act at their annual Meeting.—

[CHAPTER 11.]

State of }
New Hampshire. }

AN ACT AUTHORIZING WALTER BLOSS TO CALL THE FIRST TOWN MEETING IN THE TOWN OF DALTON—

[Approved December 11, 1797. Original Acts, vol. 15, p. 106; recorded Acts, vol. 10, p. 266. See act of November 4, 1784, by which Dalton was incorporated, Laws of New Hampshire, vol. 5, p. 23.]

Whereas in and by an act which passed in the year seventeen hundred and eighty four, for incorporating a tract of Land in the County of Grafton by the name of Dalton, John Yong Esq^r was authorized to call the first meeting of said Town— and whereas said Yong, if now living, is so indisposed, that it is highly improbable he will ever be able to attend to said business, therefore

Be it enacted by the Senate and house of representatives in General Court convened, that Walter Bloss of said Dalton, be, and hereby is, authorized to call the first meeting in said Town, in the same way and manner, as said Yong, by the aforesaid Act, was authorized to do—

[CHAPTER 12.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF
 THE PROPRIETORS OF THE SOCIAL LIBRARY IN NEWINGTON.—

[Approved December 11, 1797. Original Acts, vol. 15, p. 107; recorded Acts, vol. 10, p. 309. An act of this same title was passed June 10, 1807, recorded Acts, vol. 16, p. 437, and an act additional to that of 1807 was passed June 18, 1811, id., vol. 19, p. 39.]

Whereas a General diffusion of usefull Knowledge in a land of Liberty has a happy tendency to preserve freedom, and make better Men and better Citizens.—

Be it therefore Enacted by the Senate and House of Representatives in General Court convened, That Ephraim Pickering Benj^a Adams, Sam^l Fabyan Paul Rawlings Jun^r Richard Dame and their Associates Proprietors and owners of said Library— And all such as may hereafter become Proprietors of the Same be and they hereby are Incorporated into a Body Politic by the Name of the Proprietors of the Social Library in Newington, with continuance and succession forever, and in that Name may sue and be sued in all actions Personal— and may prosecute and defend the same to final Judgment and Execution, And they are hereby Vested with all the Powers and Privileges incident to Corporation of a Similar Nature, and may enjoin penalties of disenfranchisement, or fine not exceeding four dollars for each offence, to be recovered by said Society in an Action of debt to their use— in any Court proper to try the same, and they may make purchase and receive Subscriptions, Grants & Donations of Personal Estate not exceeding One thousand Dollars for the purpose and use of their Association.—

And be it further Enacted that said Society be and they hereby are authorised to assemble at Newington aforesaid on the first Monday of March annually to choose all necessary officers and make all regular appointments— for the orderly conducting the affairs of said Corporation, which officers shall continue in office untill others shall be chosen in their stead—and that said Corporation may Assemble as often as may be found necessary for filling up any Vacancies which may happen in said offices, and for transacting all other business excepting raising money which shall be always done at their Annual Meeting and at no other time— At which time they shall vote all necessary sums for defraying the Annual expence of preserving said Library and for enlarging the same And said Corporation shall have power to make such Rules and by Laws for the Government of said Society as may from time to time by them be found expedient—provided the same be not repugnant to the Constitution and laws of this State.—

And be it further enacted that Ephraim Pickering & Benj^a Adams Esq^{rs} or Either of them are hereby Authorised and impowered to call the first Meeting of said proprietors at such time and place as they may appoint by posting up a Notification for that purpose at the Meeting-House in said Newington at Least fifteen days prior to said Meeting and the said proprietors at said Meeting shall have the same power to choose Officers and make by Laws as they have by this Act at their Annual Meeting.—

[CHAPTER 13.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE MERIDEN LIBRARY IN THE PARISH OF MERIDEN

[Approved December 11, 1797. Original Acts, vol. 15, p. 108; recorded Acts, vol. 10, p. 323.]

Whereas a general difusion of useful knowledge in a land of Liberty has a happy tendency to melorate the harsh feelings, and Reform the morals of mankind and thereby make them more useful as men, and as Citizans which strengthens government, and makes society agreeable

Therefore—

Be it Enacted by the Senate and House of Representatives in General Court conveyaned that Daniel Kimball, Robert Duncan, Zadock Bloss and others their associates, proprietors of said Library, and all such as may hereafter become proprietors of the same be, and they hereby are Incorporated into a body politick by the name of the proprietors of the Meriden Library in the parish of Meriden with continuation and Succession forever and in that name may sue, and be sued in all actions personal, and may prosecute and defend the same to final Judgment and Execution; and they are hereby vested with all the powers and previledes incident to corporations of a similar nature, and may enjoin penalties of disfranchisements, or fine not exceeding three dollars for each offence to be Recovered by said proprietors in an action of debt to their use in any Court in this State proper to try the same. And they May make, purchase, and Receive subscriptions, grants and donations of personal estate not exceeding the sum of one Thousand dollars exclusive of the books in said Library for the purpose of their Association—

And be it further Enacted that said proprietors be, and they hereby are authorised to assemble in said parish of Meriden on

the first monday of September annually to choose all such Officers as may be found necessary for the orderly conducting the affairs of said corporation who shall continue in Office until others are chosen in their Room, and that said corporation meet as often as may be found necessary for filling up any vacancies which may happen in said Offices, and for transacting all other business excepting the Raising of Monies which shall not be done except at an Annual meeting, at which annual meeting they are empowered to vote all such sums as shall be found necessary for defraying the annual expence of preserving said Library and for enlarging the same, and shall make, and enact such Rules and by laws for the government of said corporation as may from time to time by them be found necessary, provided the same be not Repugnant to the Constitution and laws of this State, or of the United State

And be it further Enacted that Daniel Kimball and Robert Duncan or either of them are hereby authorised and empowered to call the first meeting of said proprietors at such time and place as they may appoint by posting up a notification expressing the time and place and design of said meeting at the publick meeting house in said parish at least ten days before the time of said meeting; and the said proprietors at said meeting may agree on the manner of calling meetings in future and shall have all the powers to make Rules and by-laws, and choose all Officers as they may or can do at their annual meetings

[CHAPTER 14.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF CORNISH SOCIAL LIBRARY—

[Approved December 11, 1797. Original Acts, vol. 15, p. 109; recorded Acts, vol. 10, p. 335.]

Whereas a general defusion of usefull knowledge in a land of Liberty, has a happy tendency to reform the morals of Mankind, and thereby make them more usefull as men and as Citizens; which strengthens Government and makes society agreeable—

Therefore—

Be it enacted by the Senate and house of Representatives in General Court convened, That Lyman Spalding and Ithamar Chase, with their associates proprietors of said Library, and all others that may hereafter become proprietors of the same, be and they are hereby incorporated into a body Politic, by the name of the Proprietors of Cornish social Library, with continuation and succession forever, and in that name may sue and be sued in all actions Personal, and may prosecute and defend the same to final Judgment

and Execution; and they are hereby vested with all the powers and privileges incident to Corporations of a similar nature; and may enjoin penalties of disfranchisement or fine not exceeding three Dollars for each offence, to be recovered by said society in an action of debt to their use, in any Court, in said State proper to try the same, and they may make purchase, and receive subscriptions, grants and donations of Personal Estate not exceeding the sum of one thousand Dollars, exclusive the Books in said Library for the purpose of their association—

And be it further enacted, That said Society be and they hereby are authorised to assemble at Cornish aforesaid on the first monday in Novenber Annually, to chuse all such Officers as may be found necessary for the orderly conducting the affairs of said Corporation, who shall continue in Office untell others are chosen in their stead; and said Corporation may assemble as often as may be found necessary, for filling up any vacancies which may happen in said Offices, and for transacting all other buisness; excepting the raising of money, which shall be done always at their annual meeting, and at no other time, at which meeting they shall Vote all necessary sums for defraying the annual expences for preserving said Library, and for enlarging the same—And shall make and enact all such rules and by Laws, for the government of said Corporation as may from time to time by them be found necessary, provided the same be not repugnant to the Constitution and Laws of this State

And be it further enacted that Lyman Spalding, and Ithamar Chase, or either of them are hereby authorised and impowred to call the first meeting of said Proprietors, at such time and place as they may appoint by posting up a notification of the same in the Library room of said proprietors at least fifteen days before the time of holding said Meeting, and the said proprietors, at said meeting shall have all the powars to enact such by Laws and chuse all such Officers as they may or can do at their Annual Meeting—

[CHAPTER 15.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE SOCIAL LIBRARY IN FITZWILLIAM IN THIS STATE.

[Approved December 11, 1797. Original Acts, vol. 15, p. 110; recorded Acts, vol. 10, p. 349.]

Whereas a general diffusion of useful knowledge in a land of liberty has a happy tendency to meliorate the harsh feelings and reform the morals of mankind and thereby make them more useful as Men

and as Citizens which strengthens Government and makes Society agreeable:— Therefore,

Be it enacted by the Senate and House of Representatives in General Court Convened that Benjamin Brigham, John Fassett, Simon Crosby, Matthias Felton, Nathaniel Gleason and Nahum Parker and their Associates Proprietors of said Library and all such as may hereafter become Proprietors of the same be and they hereby are incorporated into a Body politic by the name of the Proprietors of the Social Library in Fitzwilliam with Continuation and Succession forever and in that name may sue and be sued in all personal Actions and may prosecute and defend the same to final Judgment and Execution and they are hereby vested with all the powers and privileges incident to Corporations of a similar nature and may enjoin penalties of disfranchisement or fine not exceeding three dollars for each offence to be recovered by said Proprietors in an Action of debt to their use in any Court in this State proper to try the same, and they may purchase and receive subscriptions, grants and donations of personal Estate not exceeding the sum of one thousand dollars exclusive of the books belonging to said Library for the purpose of their Association.

And be it further enacted, that said Proprietors be and they hereby are authorised to assemble in Fitzwilliam aforesaid on the first Monday of January annually to choose all such Officers as may be found necessary for the orderly conducting the affairs of said Corporation who shall continue in Office until others are chosen in their room and that said Corporation may as often as may be found necessary for filling up any vacancies which may happen in said Offices and for transacting all other business except the raising of Money which shall not be done except at an annual meeting at which annual Meetings they are impowered to vote all such sums as shall be found necessary for defreying the annual expence of preserving said Library and for enlarging the same: And shall make and enact such Rules and Bye-laws for the Government of said Corporation as may from time to time by them be found necessary provided the same be not repugnant to the Constitution and Laws of this State, or of the United States.

And be it further enacted that Benjamin Brigham and Nahum Parker or either of them are hereby authorised and impowered to call the first Meeting of said Proprietors at such time and place as they may appoint by posting up a Notification expressing the time, place and design of said Meeting at the public Meeting house in said Fitzwilliam at least ten days before the time of said Meeting, and the said Proprietors at said Meeting may agree on the manner of calling Meetings in future and shall have all the powers to enact such Bye-laws and choose all such Officers as they may or can do at their annual Meeting

[CHAPTER 16.]

State of }
New Hampshire. }

AN ACT FOR GIVING A SURNAME TO JOSIAH SON OF ELIZABETH MAGLOOTHRIN.

[Approved December 12, 1797. Original Acts, vol. 15, p. 111; recorded Acts, vol. 10, p. 306.]

Whereas Elizabeth Magloothrin of Conway in the County of Strafford and State aforesaid Singlewoman hath petitioned the General Court for and on behalf of her son Josiah, representing that the said Josiah was born out of Wedlock and had no Surname, and consequently by the Laws of the Land not intitled to any Surname whatever; Wherefore she prayed that an Act might be passed to designate the said Josiah by the Surname of Carter which he might lawfully take and bear in future:— The prayer of which petition appearing reasonable, Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened that the said Josiah be, and hereby is authorised and impowered to take, use and bear the Surname of Carter in future; and the said Josiah shall from and after the passing of this Act be named and called in all legal proceedings by the Name of Josiah Carter, any law, usage or Custom to the contrary notwithstanding.

[CHAPTER 17.]

State of }
New Hampshire. }

AN ACT TO IMPOWER MOLLY PACKER, ADMINISTRATRIX OF THOMAS PACKER, DECEASED, TO CONVEY CERTAIN LANDS TO FULFILL THE CONTRACTS OF THE SAID THOMAS,—

[Approved December 12, 1797. Original Acts, vol. 15, p. 112; recorded Acts, vol. 10, p. 318.]

Whereas Molly Packer of Greenland in the County of Rockingham, Widow, & Administratrix of the Estate of her late Housband, Thomas Packer, of Portsmouth in said County Gentleman, deceased, Intestate, hath proffered a Petition to this Court, Seting forth, That the said Thomas, in his Life Time, did by Letters of Attorney, empower his Son Thomas Packer Junior of Newbury Port, (among other Things, to sell and dispose of certain Lands of the deceased, in the Township of Sullivan, in the County of Cheshire, in said State, for certain Purposes set forth in his private Instructions, to his said

Son: In Consequence of which Power and Instructions, the said Thomas Packer Junior, did contract with & Sell to one Samuel Mason, one hundred Acres, and to Benjamin Ellis forty one Acres of Land all in said Sullivan; agreeably to his Instructions and Power, for certain Considerations agreed upon between them, to be paid by Instalments, and entered into Bonds To the Purchasers to procure them Good & valid Deeds thereof from the said deceased, at the Expiration of the Term of Time, they had thus agreed upon; but before The Expiration thereof, the said Thomas, The elder died, and his Instructions and Power were frustrated, and the Busness left incomplte—

And whereas the said Thomas in his Life Time, did agree & contract with Ebenezer Eaton Esquire of Bradford to sell & convey to him about five hundred Acres of Land situate in said Newbradford, in this State for a valuable Consideration, agreed upon between them, which the said Thomas did in Part receive, but failed to fulfill his said Agreement by Reason of Death, And Praying This Court to take the Premises into their Just Consideration and enable her by an Act of this Court, in her said Capacity, to make & execute such Deeds of the Premises in Question, as are necessary to fulfill the Ingagements and Contracts of the said Thomas Junior according to the Directions and Power aforesaid, And also to fulfill The Contract of the deceased with the said Eaton,—

The Prayer of which said Petition appearing reasonable and being Granted,

Be it enacted, by the Senate and House of Representatives in general Court convened, that the said Molly Packer be, and She is hereby authorised, in her said Capacity, to make, Seal & Execute in due Form of Law, such Deed or Deeds, in Writing, (as may be meet & necessary to convey the Premises contracted to be conveyed as aforesaid, of all the Right, Title & Interest, which the said Thomas had in & to the same, at the Time of his decease, which Deeds or Conveyances so by her made shall be deemed good, valid, & effectual to all Intents, as Though the said Thomas had executed the same, any Law, Custom or Usage To the contrary Notwithstanding.

[CHAPTER 18.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE
PROPRIETORS OF THE SOCIAL LIBRARY IN CANTERBURY IN THIS
STATE

[Approved December 12, 1797. Original Acts, vol. 15, p. 113; recorded Acts, vol. 10, p. 331.]

Be it enacted by the Senate and House of Representatives in General Court convened that John Sutton, David Morrill, David Foster, John Ayer, Abiel Foster Jun^r and Nehemiah Clough and their Associates Proprietors of said Library and all such as may hereafter become Proprietors of the same be and they hereby are incorporated into a Body-politic by the Name of the Proprietors of the Social Library in Canterbury with Continuation and Succession forever and in that Name may sue and be sued in all personal Actions and may prosecute and defend the same to final Judgment and Execution and they are hereby vested with all the powers and privileges incident to Corporations of a similar nature and may enjoin penalties of disfranchisement or fine not exceeding three dollars for each offence to be recovered by said Proprietors in an Action of debt to their use in any Court in this State proper to try the same; and they may make purchase and receive Subscriptions, Grants and Donations of personal Estate not exceeding the sum of one thousand dollars exclusive of the books in said Library for the purpose of their Association.

An be it further enacted, that said Corporation be and they hereby are authorised to assemble in said Town of Canterbury on the first Monday of December annually to choose all such Officers as may be found necessary for the orderly conducting affairs of said Corporation who shall continue in Office until others are chosen in their room; and said Corporation may assemble as often as may be found necessary for filling up any vacancies which may happen in said Offices and for transacting all other business excepting the raising of Money which shall not be done except at an annual Meeting, at which annual Meeting they are impowered to vote all such sums which shall be found necessary for defraying the annual expense of preserving said Library and for enlarging the same and shall make and enact such Rules and By-laws for the Government of said Corporation as may from time to time by them be found necessary, provided the same be not repugnant to the Constitution and Laws of this State or of the United States.

And be it further enacted, that Abiel Foster Jun^r and Nehemiah Clough or either of them are hereby authorised and impowered to

call the first Meeting of said Proprietors at such time and place as they may appoint by posting up a Notification expressing the time and place and design of said Meeting at the public Meeting house in said Town at least ten days before the time of said Meeting and the Proprietors at said Meeting may agree on the manner of calling Meetings in future and shall have all the power to make Rules and By laws and choose all Officers as they may or can do at their annual Meeting.

[CHAPTER 19.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE A COMPANY FOR THE PURPOSE OF BUILDING AND KEEPING A TOLL BRIDGE OVER PEMIGEWASSETT RIVER BETWEEN THE TOWNS OF NEW-HOLDERNESSE AND PLYMOUTH IN THE COUNTY OF GRAFTON

[Approved December 12, 1797. Original Acts, vol. 15, p. 114; recorded Acts, vol. 11, p. 42.]

Be it enacted by the Senate and House of Representatives in General Court convened that Arthur Livermore David Webster, George Williamson Livermore, William Webster, Thomas Thompson, and David Webster Jun^r and their Associates and Successors be and they hereby are incorporated and made a body corporate and politic forever under the name of the Proprietors of Holderness Bridge and by that name may sue and be sued, prosecute and be prosecuted to final Judgment and Execution; and they are hereby vested with all the powers and privileges incident to similar Corporations.

And be it further enacted that the first Meeting of said Corporation shall be holden at the house of David Webster Esquire in Plymouth on the third Tuesday of January next at eleven of the Clock in the forenoon at which time and place the said Proprietors shall choose a Clerk whose duty it shall be, among other things, to record this Act and the proceedings of the said Corporation from time to time in a book which shall always be open for the inspection of every Member of the Corporation; said Clerk shall be sworn to execute his Office faithfully and may continue therein until another be chosen and sworn in his stead. Said Proprietors may also then and there or at any subsequent Meeting elect other Officers and remove them at pleasure, may agree on a method of calling meetings; may make rules and Bye-laws and annex penalties to the breach thereof and cause the same to be executed, provided the rules and bye-laws be not repugnant to the Constitution or Laws of this State or the United States; and may do and transact all

things necessary for carrying into effect the aforesaid purpose and for collecting the tolls and rates herein after established. And in transacting the affairs of said Corporation each Proprietor shall be intitled to as many votes as he shall have Shares and all his other privileges and duties as a Member of said Corporation shall be in like proportion: Any proprietor may by letter of Attorney appoint another Proprietor to represent, act and vote for him in his absence; And every vote duly passed at a meeting regularly called and holden by a Majority present or represented as aforesaid allowing one vote for each share shall be binding on all the Members. No person except those named in this Act shall be considered a Member of said Corporation until he shall have expressed his Agreement thereunto by writing under his hand; nor shall any person having become a Member cease to be such during his life unless by consent of the Corporation.

And be it further enacted that said Proprietors shall have, and there is hereby granted to them their Successors and Assigns forever the sole and exclusive right of building and keeping a Bridge over Pemigawassett River between the Towns of New Holderness and Plymouth in the County of Grafton below the most Northerly part of the upper Intervale in said New Holderness and above the Confluence of Mill-brook, so called, with the waters of the aforesaid River. And be it further enacted that to compensate the proprietors for building and keeping in repair said Bridge they may erect gates thereon and appoint Toll-gatherers to collect and receive of all persons using said Bridge the Tolls and Rates herein after mentioned and to stop any person, Carriage or Creature attempting to pass said Bridge until such Rates and Tolls be paid, that is to say, for each foot passenger one Cent, for each horse and rider three Cents, for each horse and Chaise or Sulkey ten Cents, for each sleigh or sled drawn by one horse four Cents, for each sled or sleigh drawn by more than one horse six Cents, for each Curricule twelve and one half Cents, for each four wheeled Carriage for passengers twenty Cents, for each sled or Carriage of burthen drawn by one beast four Cents, for each sled or Carriage of burthen drawn by two Beasts six Cents, for each sled, sleigh or Carriage of burthen drawn by more than two beasts twelve and one half Cents, for each horse, mule, or jack or neat Creature more than six months old exclusive of those ridden or used in Carriages one Cent, for sheep and swine half a Cent each: And at the expiration of ten Years the Superior Court of Judicature may regulate the Rates and Tolls to be taken by said Corporation: And no person shall have a right to draw any burthen with Cattle or Horses over said Bridge except on sleds, sleighs or wheeled Carriages, A List of the foregoing Rates and Tolls shall be kept posted up in legible Characters at some convenient place near said Bridge, and the Gates shall always be open when no persons attend to receive the Toll.—

And be it further enacted that said Corporation may purchase and hold in fee simple and sell and convey lands; provided they shall not at any time possess more than two Acres which land in their possession and the shares in said Bridge shall be exempt from Taxes

And be it further enacted that if any proprietor shall refuse or neglect to pay his proportion of any sum of money duly assessed by the Corporation for building, rebuilding or repairing said Bridge his share or shares may be sold at auction without equity of redemption agreeably to such Rules as the Corporation shall have ordained, or the said Corporation may commence and sustain actions of debt, in any Court proper to try the same, against such delinquent Proprietors and shall recover the sums duly assessed as aforesaid with Interest and Costs of Suit.

And be it further enacted that the shares in said Bridge shall be deemed real and not personal Estate and may be disposed of by Will, or with Consent of the Corporation by Deed duly executed and recorded in the Proprietors book of Records and not otherwise; but upon the decease of a Proprietor intestate his share or shares shall descend like other real Estate.

And be it further enacted that if said Corporation shall, for the term of three Years after the passing of this Act, omit building said Bridge; or if the same shall in future be destroyed and not rebuilt and made passable within two Years afterwards this Act shall thereupon cease to be in force

[CHAPTER 20.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE SOCIAL LIBRARY IN DEERING IN THIS STATE.

[Approved December 12, 1797. Original Acts, vol. 15, p. 115; recorded Acts, vol. 11, p. 63.]

Whereas Robert Alcock and others have Petitioned the Legislature, setting forth that they have purchased a number of Books, for the purpose of Establishing a Social Library in the Town of Deering, and praying to be Incorporated that the same may be carried into Effect, which prayer appearing reasonable, and it being strongly Recommended to the Legislature, by the Constitution of this State, to give every Encouragement to Literature and learning as greatly promoting the Public good

Therefore, Be it Enacted by the Senate and House of Representatives in General Court convened, that Robert Alcock, Thomas Merrill, Thomas Aiken, William Forsith, Parker Morse, James Sherrier

and their Associates proprietors of said Library, and all such as may hereafter, become proprietors of the same Be and they hereby are Incorporated into a body Politic by the Name of the proprietors of the Social Library in Deering with continuation and Succession forever, and in that Name may sue and be sued in all personal Actions, and may prosecute and defend the same to final Judgment and Execution; and they are hereby vested with all the powers and privileges incident to Corporations of a similar nature, and may enjoin penalties of disfranchisement or fine, not exceeding three Dollars, for each Offence, to be recovered by said proprietors in an Action of Debt to their use in any Court in this State proper to try the same, And they may make purchase, and Receive subscriptions, grants, and donations, of personal Estate not exceeding the sum of one thousand Dollars, (Exclusive of the Books belonging to said Library) for the purpose of their Association.

And be it further Enacted, that said proprietors be, and they hereby are, authorized to Assemble in Deering aforesaid on the Second Tuesday of November Annually, to choose all such Officers as may be found necessary for the orderly Conducting the affairs of said Corporation, who shall Continue in Office untill others are chosen in their Room. And that said Corporation may Assemble as often as may be found necessary for filling up any vacancies which may happen in said Offices, and for transacting all other business, except raising of monies, which shall not be done except at an Annual Meeting, at which Annual meetings they are Impower'd to vote all such sums as shall be found necessary for defraying the annual expence of preserving said Library and for enlarging the same. And shall make and Enact such Rules and By Laws, for the Government of said Corporation as may from time to time by them be found necessary. Provided, the same be not repugnant to the Constitution and Laws of this State or of the United States.

And be it Further enacted that Robert Alcock and Thomas Merrill or either of them are hereby Authorized and Impowered to call the first meeting, of said proprietors at such time and place as they may appoint, by posting up a Notification expressing the time, place, and design of said meeting, at the most public place in said Deering at least Fifteen days before the time of said meeting. And the said proprietors at said meeting may agree on the manner of calling meetings in future, and shall have the power, to enact such By Laws, and choose all such Officers as they may or can do at their Annual Meeting.

[CHAPTER 21.]

State of }
New Hampshire. }

AN ACT REGULATING SCALE BEAMS, STEELYARDS, WEIGHTS AND MEASURES.

[Approved December 15, 1797. Original Acts, vol. 15, p. 116; recorded Acts, vol. 10, p. 362. Laws, 1805 ed., p. 375; id., 1815 ed., p. 425; id., 1830 ed., p. 221. The operation of this act was postponed until December 10, 1801, by the acts of June 20, 1798, recorded Acts, vol. 11, p. 81; December 27, 1798, id., p. 120; December 30, 1799, id., vol. 12, p. 6; December 10, 1800, id., vol. 13, p. 125.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the Governor by and with the advice of Council be and hereby is authorized and empowered to appoint a sealer of weights and measures in each county in this State.

And be it further enacted, that each sealer of weights and measures appointed as aforesaid, shall provide at the expence of the State one compleat set of scalebeam, weights and measures, similar to those now owned by this State, which shall be kept by him as standards for the use of said county. And it shall be the duty of said sealer of weights and measures to try and prove by said standards all scale beams, steelyards, weights and measures which shall be brought to him for that purpose by the sealers of weights and measures chosen in the respective towns in said county, and to seal such as shall be found just, agreeable to said standards, who shall receive six cents for every scale beam, steelyard, weight and measure so tried proved and sealed.

And be it further enacted that the selectmen of every town in this State shall provide at the proper expence of their respective towns one compleat set of weights & measures & a scalebeam as aforesaid for the use of said town of such materials as the town shall think proper provided the liquid measures be of some kind of metal

And be it further enacted, that each town in this State shall at their annual meeting choose one suitable person for sealer of weights and measures in said town, who shall be sworn to the faithful discharge of his duty who shall notify the inhabitants to bring in all scalebeams, steelyards, weights and measures as they make use of, in the month of May from year to year at such time and place as he shall appoint by posting up a notification at every meeting house in said town, and if there be no meeting house then at some publick place in said town, three weeks successively prior to the day appointed. And the said sealer shall try prove and seal all such scalebeams, steelyards weights & measures as shall be brought to him and shall be found just agreeable to said standards And he shall

have for every scalebeam, steelyard, weight and measure so sealed two cents from the owner thereof at the first sealing and after the first sealing one cent only so long as they continue just, with the standard.

And be it further enacted, that all measures by which meal, fruit, and other things usually sold by heap, shall be sold, be of the following dimensions viz, the bushel not less within side than eighteen inches and an half wide, the half bushel not less than thirteen inches and three quarters wide, the peck not less than ten inches and three quarters wide, and the half peck not less than nine inches wide. And if any person at any time from and after the first day of September next shall sell, expose to sale, or offer any meal fruit or other things usually sold by heap, by any other measure than is aforementioned, as to bigness & breadth such person being complained of and convicted, before any justice of the peace within the county, of so doing, shall forfeit and pay to the use of the poor of the town where the offence is committed, the full value of the meal, fruit or other things so sold or offered to sale with costs.

And be it further enacted, that the sealer of weights and measures appointed in each town within this state, from time to time shall be and hereby is empowered to go to the houses of such of the inhabitants, having been duly notified as aforesaid, who shall neglect to bring or send in their scale beams, steelyards, weights and measures to be proved and sealed at the place assigned for that purpose and shall there prove and seal the same and shall receive of the owner for every scalebeam steelyard weight and measure proved and sealed twenty cents and no more. And every person that shall refuse to have their scale beams, steelyards, weights and measures viewed proved and sealed shall forfeit the sum of ten dollars one moiety thereof to the use of the poor of the town and the other moiety to the sealer. And if any person shall bring his scalebeams, steelyards, weights or measures to be proved and sealed at any other time than on the day or days set by the sealer of weights and measures for that purpose he shall in like manner pay three cents for every scale beam steelyard weight or measure that shall be tried and sealed and one cent and an half for such as do not need sealing.

And be it further enacted, that if any person from and after the first day of September next shall sell, vend or utter any goods wares merchandizes, grain, or other commodities whatsoever by other scalebeams steelyards weights or measures than such as shall be proved and sealed as this act requires in any town where provision is made and notification given agreeably to this act or shall fraudulently so sell utter or vend any goods wares merchandize grain or other commodities by any scalebeams steelyards weights or measures that may be so sealed that shall prove unjust, the person so offending shall forfeit a sum not less than one dollar nor more than ten dollars with costs for each offence one moiety thereof to the use

of the poor of the town where the offence shall be committed, the other moiety to the informer who shall prosecute the same.

And be it further enacted that all scale beams steelyards weights and measures kept for standards in the several towns, shall be proved and tried by the publick County standards at the end of every five years from time to time.

And be it further enacted, that if the selectmen of any town in this state neglect to comply with their duty in procuring weights and measures and a scale beam as by this act is required they shall forfeit the sum of one hundred dollars to be recovered one half for the use of the county in which the neglect shall happen and the other half for the use of the person who shall sue for the same.

And be it further enacted that when any sealer of weights and measures that may be duly appointed in any town where a scale beam weights and measures are provided according to this act, shall neglect to notify the inhabitants as aforesaid shall forfeit the sum of fifty dollars, and for neglecting the duties of his office in any other respect from one to twenty dollars one half for the prosecutor the other half for the use of the town where such neglect shall happen And all penalties and compensations mentioned in this act may be sued for and recovered by action bill plaint or information in any court proper to try the same.

And be it further enacted, that the Sealer of Weights & Measures for each County, may make use of such seal as he may think proper provided a description thereof in writing be lodged in the Secretary's Office before it be made use of— & that the Sealer of Weights & Measures chosen by each Town respectively shall use such Seal as the Town may agree on, a record of which being previously made in the town Records.—

Provided that this Act shall remain in force till superceded by an Act of the General Government—

[CHAPTER 22.]

State of }
New Hampshire. }

AN ACT, TO INCORPORATE CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER THE RIVER MERRIMAC AT HILLS FERRY, SO CALLED, BETWEEN THE TOWNS OF NOTTINGHAM WEST AND DUNSTABLE.

[Approved December 15, 1797. Original Acts, vol. 15, p. 117; recorded Acts, vol. 10, p. 380.]

Whereas a Bridge over said River, at the place above mentioned, will be of public Utility and whereas Samuel Marsh, Peter Cross Jun^r, Jesse Davidson, John Robertson, John Cummings, Samuel

Davis, Isaac Richardson, Moses Hadley, Elijah Marshall, Ephraim C. Chase, Stephen Hadley, William Hills, Reuben Spaulding, Joshua Peirce, Philip Hills, Paul Tenney, Joseph Winn, Asa Pollard, Nathan Winn, Samuel Greeley, Ashby Morgan, Joseph Greeley, Seth Wyman, John Forgerson, Benjamin Barker, Ebenezer Barker, and Nehemiah Butler have petitioned the General Court that they with such others as may hereafter associate with them may have the exclusive privilege of building the same, and to be incorporated for that purpose:—Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened, that the persons 'above named, together with those their Associates who are, or shall become proprietors in said Bridge, so long as they continue Proprietors thereof, shall be a Corporation and body politic for the purposes aforesaid under the Name of the Proprietors of Nottingham West Bridge; and by that Name may sue and be sued, may prosecute and be prosecuted to final Judgment and Execution, and do and suffer all matters, acts and things which Bodies Corporate may or ought to do or suffer: And the Corporation shall and may have a Common Seal and the same may break, renew and alter at pleasure

And be it further enacted that Jesse Davidson and Maj^r Joseph Greeley both of said Nottingham West, or either of them shall call the first Meeting of said Proprietors to be holden at the said Davidson's house which meeting shall be notified by posting a Notification at least fifteen days, prior to holding said Meeting, in said Nottingham West and the two adjacent Towns in some public place in each of said Towns; and the said Proprietors, by a vote of the majority of those present, or represented at said Meeting accounting and allowing one vote to each share in all Cases, shall choose a Clerk who shall be sworn to the faithful discharge of said office, and they shall agree on a method of calling future Meetings, and at the same, or any subsequent Meetings, may elect such Officers, and make and establish such Rules and By-laws as to them shall seem necessary or convenient for the Regulation and government of said Corporation, for carrying into effect the purpose aforesaid and for collecting the Toll herein after granted and established, and the same Rules and By-laws may cause to be executed; and may annex penalties to the breach thereof not exceeding ten dollars for any one breach, provided said Rules and By-laws are not repugnant to the Constitution and laws of this State and all Representations at any Meeting of said Corporation shall be proved by writing signed by the person to be represented and which shall be filed by the Clerk; and this Act, and all Rules, By-laws, Regulations and Proceedings of said Corporation, shall be fairly and truly recorded by the Clerk in a book, or books provided and kept for that purpose.

And be it further enacted, that the Proprietors aforesaid be and hereby are permitted, authorised and allowed to erect a bridge over

the River Merrimac at Hills ferry, so called, between the Towns of Nottingham West and Dunstable; and the said Proprietors are hereby empowered to purchase any lands adjoining said Bridge and to hold the same in fee simple provided the same shall not exceed two Acres; and the share or shares of any of said Proprietors may be transferred by Will, or by deed duly executed, acknowledged and recorded by the Clerk of said Proprietors on their Records, and when any Proprietor shall die intestate such Proprietors share or shares shall descend to his heirs in the same manner as real estate; provided always that when any Proprietor shall be inclined to dispose of his share or shares in said bridge he shall give the Proprietors the preference of purchasing if they choose.

And be it further enacted that for the purpose of reimbursing said Proprietors the money expended by them in building and keeping in repair said Bridge, a toll be and hereby is granted and established for the benefit of said Proprietors, according to the Rates following, namely, for each foot passenger, two Cents; for each horse and Rider, five Cents; for each horse and chaise, chair, sulkey or other riding carriage drawn by one horse only twelve and an half Cents; for each riding sleigh drawn by one horse, six Cents; for each riding sleigh drawn by more than one horse, ten Cents; for each coach, chariot, phaeton or other four wheeled carriage for passengers, thirty Cents; for each curricule, twenty Cents; for each carriage of burthen drawn by one beast, five Cents; for each cart or other carriage of burthen drawn by two beasts, twelve and an half Cents, and three Cents for every additional beast; for each horse, or neat Creature exclusive of those rode on or in carriages, two Cents, for sheep and swine, half a Cent each; and to each team, one person and no more shall be allowed as a driver to pass free of toll.

And be it further enacted, that the exclusive Right of building and maintaining a bridge at Hills ferry aforesaid be and the same is hereby fully granted to said petitioners, and such as are, or may be associated with them and become proprietors their heirs and assigns.

And be it further enacted, that if any tax or assessment made by said Corporation for completing or repairing the said bridge on the several shares, shall be unpaid at the time limited for the payment of the same, they may proceed to sell the delinquents share or shares at public auction, as the proprietors may agree and determine; and if any overplus remains, after paying the tax or assessment and all charges, it shall be returned to the delinquent Proprietor. And the said Proprietors are hereby authorized to commence actions of debt against any proprietor or proprietors for the recovery of any fine which may accrue and recover the same with Interest and Costs of suit.

And be it further enacted, that if the above mentioned bridge

shall not be completed for travelling within the term of four years from the time of the passing hereof, then this Act and every part thereof shall be null and void.

And be it further enacted, That the exclusive Right granted the aforesaid Proprietors and their associates who are, or may hereafter become Proprietors in said bridge shall extend on said River to the distance of three miles each way from said Hills ferry, provided the same does not interfere with any former Grants.—

[CHAPTER 23.]

State of {
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE SOCIAL LIBRARY IN DUBLIN

[Approved December 15, 1797. Original Acts, vol. 15, p. 118; recorded Acts, vol. 10, p. 393.]

Be it Enacted by the Senate and House of Representatives in General Court Conven'd that Reuben Morse Samuel Twitchel Samuel Hamelton Richard Gilchrist Moses Greenwood and Eli Adams and their associates proprietors of Said Library and all Such as may become hereafter proprietors of the Same be and they hereby are incorporated into a body politic by the name of the proprietors of the Social Library in Dublin with all the powers and privileges incident to corporations and may enjoin penalties of disfranchisement or fine not exceeding three dollars for each offence and make, purchase, and receive Subscriptions, grants, and donations of personal estate not exceeding the Sum of one thousand dollars exclusive of the books Contained in Said Library for the purpose of their association

And Be it further enacted that the Said Society be and they hereby are authorized to assemble at Dublin aforesaid on the first monday of December in every year or on any other day Said proprietors Shall appoint to choose all Such officers as may be found Necessary for the orderly conducting the affairs of Said Corporation who Shall Continue untill others are Chosen in their room— and that the Said Corporation may assemble as often as they agree for filling up any vacancies which may happen in Said office's and for transacting all other business excepting the raising of monies which Shall be done always at their annual meeting on the Said first monday of December and at no other time at which annual meeting they Shall Vote all Necessary Sums for defraying the annual expences of preserving Said Library and for enlarging the Same

And Be it further enacted that Reuben Morse and Samuel Twitchel Esquires or either of them are hereby authorized and impowered to call the first meeting of Said proprietors at Such time and place as they may appoint by posting up a notification of the Same at the public meeting house in Said Dublin at least ten days before the time prefixed for Said meeting— and the Said proprietors at Said meeting Shall have all the power to enact by-laws and choose all Such officers as they may or can do at their Said annual meeting

[CHAPTER 24.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF
 THE PROPRIETORS OF THE SOCIAL LIBRARY IN SANBORNTON.

[Approved December 15, 1797. Original Acts, vol. 15, p. 119; recorded Acts, vol. 11, p. 24.]

Whereas a general diffusion of useful knowledge in a land of Liberty has a happy tendency to preserve freedom, and make better men and better Citizens:—Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened that Joseph Woodman, William Harper, Jeremiah Sanborn, Benjamin Colby, Joseph Clark, Nathan Taylor, and Peter Sanborn and their Associates Proprietors of said Library and all such as may hereafter become Proprietors of the same, be, and they hereby are incorporated into a body Politic by the Name of the Proprietors of the social Library in Sanbornton with Continuation and Succession forever, and in that Name may sue and be sued in all Actions personal and may prosecute and defend the same to final Judgment and Execution, and they are hereby vested with all the powers and privileges incident to Corporations of a similar nature and may enjoin penalties of disfranchisement or fine not exceeding four dollars for each Offence, to be recovered by said Society in an Action of debt to their use in any Court proper to try the same; and they may purchase and receive subscriptions, grants and donations of personal Estate not exceeding one thousand dollars, exclusive of the books belonging to said Library, for the purpose and use of their Association.

And be it further enacted that said Society be and they hereby are authorised to assemble at Sanbornton aforesaid on the first Monday in November annually to choose all such Officers as may be found necessary for the orderly conducting the affairs of said Corporation who shall continue in Office until others are chosen in their room; and said Corporation may assemble as often as may

be found necessary for filling up any vacancies which may happen in said Offices, and for transacting all other business excepting the raising of monies which shall be always done at their annual Meeting and at no other time, at which time they shall vote all necessary sums for defraying the annual expence of preserving said Library and for enlarging the same: And said Corporation shall have power to make such Rules and By-laws for the Government of said Society as may from time to time by them be found necessary, provided the same be not repugnant to the Constitution and Laws of this State.

And be it further enacted, that Joseph Woodman and Benjamin Colby or either of them are hereby authorised and impowered to call the first Meeting of said Proprietors at such time and place as they may appoint by posting a Notification for that purpose at each Meeting-house in said Sanbornton at least fifteen days prior to said Meeting; and the said Proprietors at said Meeting shall have the same power to choose Officers and make By-laws as they have by this Act at their annual Meeting.

[CHAPTER 25.]

State of }
New Hampshire. }

AN ACT FOR THE CONVEYANCE OF REAL ESTATE IN CERTAIN CASES

[Approved December 15, 1797. Original Acts, vol. 15, p. 120; recorded Acts, vol. 11, p. 34. Laws, 1805 ed., p. 179; id., 1815 ed., p. 216. See act of December 24, 1795, id., p. 217. See additional act of June 20, 1817, id., 1824 ed., p. 231. Repealed July 2, 1822, id., p. 171.]

Whereas it may often be necessary that the Representatives of persons deceased be enabled to perform the engagements entered into by such deceased person for the transfer of real Estates.

Be it therefore enacted by the Senate and House of Representatives in General Court convened, That whenever it shall be represented, by Petition to the Judge of Probate for the County where such deceased person last dwelt, by his or her Executor or Administrator, or by any person or persons contracted with by bond, covenant, or other written contract, that a deceased Testator or Intestate in his or her life time entered into such bond, covenant or contract to convey real Estate; but was prevented by death, and that such person or persons contracted with as aforesaid, have on his or their part performed, or stand ready to perform the Conditions of such contract made with the deceased, the said Judge shall assign a time and place for taking the same into Consideration, and shall cause notice thereof to be made in some public news-paper in this State three weeks successively thirty days at

least before the time assigned. And if at the time assigned no objection is made; or none in the Judgment of the said Judge sufficient to prevent it he may grant licence and impower the Executors or Administrators of such deceased person to make and execute such conveyance or conveyances to the person or persons contracted with as aforesaid as such deceased person if living would be obliged to make and execute; which conveyance or conveyances being duly executed and recorded according to law shall be good and valid; and the monies or consideration paid for such Estate, if not paid to the deceased in his life time, shall be assets in the hands of such Executors or Administrators and be apportioned as other personal Estate.

And be it further enacted, that any person conceiving himself agrieved by any Order, sentence or decree made by any Judge of Probate in pursuance of this Act may appeal from such order, sentence or decree to the Superior Court of Judicature, subject to the same conditions and restrictions as Appeals in other Cases from the Judge of Probate are or hereafter may by law be allowed.

[CHAPTER 26.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT REGULATING BAIL IN CIVIL CAUSES.

[Approved December 15, 1797. Original Acts, vol. 15, p. 121; recorded Acts, vol. 11, p. 38. Laws, 1805 ed., p. 103, id., 1815 ed., p. 117. The act referred to is dated February 15, 1791, Laws of New Hampshire, vol. 5, p. 687. See additional acts of June 23, 1818, recorded Acts, vol. 21, p. 126; July 6, 1826, id., vol. 23, p. 250. See act of December 25, 1828, id., vol. 26, p. 115, which repeals the act of February 15, 1791, this act of 1797 and the act of June 23, 1818.]

Be it enacted by the Senate and House of Representatives in General Court convened, That where Bail is given upon Mesne Process in any civil Action commenced before any Justice of the Peace for the appearance of the Party to answer the suit, and to abide the Order or Judgment of Court that shall be given thereon, such Surety or Sureties may at any time before the rendering Judgment against the Principal commit the Principal to Gaol, and upon such Surety or Sureties producing to the said Justice a Certificate from the Prison Keeper of such Commitment, he or they shall be discharged from said suit, and the Principal shall be holden the same time, and in the same manner as though he had been committed on such mesne process for want of Bail.

And be it further enacted, that if said Surety or Sureties after Scire facias brought and before final Judgment be rendered against him or them, commit the Principal to Gaol and bring to the said

Justice a Certificate of such Commitment, and move to be discharged from such suit, the said Justice shall order said Surety or Sureties to be discharged, such Surety or Sureties paying to the Creditor the Costs that have accrued in such Action upon the Scire facias and the said Prison-Keeper shall detain the Principal thirty days unless he shall sooner be discharged by the Creditor.

And be it further enacted, that if the Surety or Sureties in any suit before mentioned at the time of entering up final Judgment against the Principal, or at any time before, or at the time of entering up final Judgment against the Surety or Sureties on the Scire facias, or at any time before, shall bring the Principal into Court and offer to surrender him to the Justice such surety or sureties shall not thereby be discharged, any law, usage or custom to the contrary notwithstanding.

And be it further enacted, that if the damages and Costs recovered in any Action before any Justice of the Peace wherein Bail was given amount to more than thirteen Dollars and thirty three Cents, the Plaintiff is hereby impowered, in case of the Principal's Avoidance and return of Non est inventus upon the Execution, to bring a Scire facias against the Surety or Sureties at any time within one Year next after entering up final Judgment against the Principal returnable to the Court of Common Pleas in the same County any law, usage or custom to the contrary notwithstanding.

Provided nevertheless, and be it further enacted, that if the Surety or Sureties shall at any time after entering up Judgment against the Principal deliver up such Principal to the Officer having the Execution so that his Body may be taken thereby such Surety or Sureties shall thereby be discharged.

[CHAPTER 27.]

State of)
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT TO INCORPORATE CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER CONNECTICUT RIVER AT OR NEAR THE BOUNDARY LINE BETWEEN HAVERHILL AND BATH IN THE COUNTY OF GRAFTON AND FOR SUPPORTING THE SAME PASSED JANUARY FOURTEENTH ONE THOUSAND SEVEN HUNDRED AND NINETY FIVE

[Approved December 15, 1797. Original Acts, vol. 15, p. 122; recorded Acts, vol. 11, p. 50. The act referred to may be found in recorded Acts, vol. 9, p. 78.]

Whereas Asa Porter Esquire has petitioned the General Court representing that certain unforeseen and unavoidable events and accidents have prevented said proprietors from accomplishing the

design of the incorporation and praying that the time limited in said act for building said bridge might be extended: Which appearing reasonable

Therefore

Be it enacted by the Senate and House of Representatives in General Court convened That the said proprietors be allowed a further time of Three years from and after the Time limited by said act for building and compleating said bridge, any thing in said act to the contrary notwithstanding.

[CHAPTER 28.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE BAPTIST SOCIETY IN MEREDITH

[Approved December 16, 1797. Original Acts, vol. 15, p. 123; recorded Acts, vol. 10, p. 341.]

Whereas Joseph Pearson Jesse Plumer Jr Jethro Pearson Nathaniel Plumer Joseph Goss William Rundlet Enoch Gordon James Gordon Levi Rundlet Amos Leavit John Robinson Nathaniel Folsom Thomas Dolloff Abraham Swain John Mead Stephen Mead Ebenezer Pitman Eben^r Pitman Jr Elias Swain Jr Edward Fox Elisha Piper Daniel Piper Daniel Smith 3rd Samuel Edgerly Jesse Plumer Moses Plumer Amos Plumer Nathan Plummer Taylor Pearson Levi Leavitt Joshua Woodman James Sanborn John Swain Samuel Silley Abraham Drake Joshua Moses Joseph Moses Joshua Crocket Thomas Crosby David Boynton J^r Jeremiah Pike William Pike Benjamin Peas Timothy Weymouth Timothy Morrill Benjamin Crosby James Pease Nicholas Smith Joseph. S. Pease Jonathan Farrar Philip Conner Brawdstreet Wiggin John M^cDaniel Hezekiah Swain David Lawrence Stephen Farrar Job Judkins Jonathan Kelley and Gordon Lawrence have Petitioned this Court setting forth that they have for a number of Years past been known by the Name of the Baptist Society have erected a Meeting-House and Ordained a teaching Elder that they were subject to inconveniencies by not being incorporated into a Body Politic so as to manage their Parochial affairs and praying that this Court would incorporate them as a religious Society for the purpose of managing their ecclesiastical Concerns which Prayer appearing reasonable

Therefore be it enacted by the Senate & House of Representatives in General Court conven'd that the before named Persons & such others as may hereafter join them by leaving their names with the Clerk of said Society be and hereby are incorporated into a body Politic & corporate to have continuance & Succession forever by the name of the Meredith Baptist Society with all the powers

privileges and Authorities that other religious Societies of a similar nature have and enjoy and by that name may sue and be sewed to final Judgment & Execution

And be it further Enacted that the said Society shall hold their Anual Meeting on the last monday of March and shall have full power and Authority at said meeting to elect and choose all such Parish Officers as to said Society Shall appear necessary and proper for the purpose of answering the end and design of their incorporation. that the Parish Clerk and all other officers by them chosen shall be sworn to the faithful discharge of the duties of their respective Offices

And be it further Enacted that Abraham Swain and John Mead or either of them be and hereby are Authorised to warn the first Meeting of said Society by posting up a notification at the Baptist meeting House in said Town giving fourteen days notice of the time place and design of said meeting

[CHAPTER 29.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE SOCIAL LIBRARY IN HILLSBOROUGH IN THIS STATE.

[Approved December 16, 1797. Original Acts, vol. 15, p. 124; recorded Acts, vol. 10, p. 354.]

Be it Enacted, by the Senate and House of Representatives in General Court convened, that Jonathan Barnes Joseph Symonds, Isaac Andrews, Calvin Stevens, William Taggart, James Eaton and Benjamin Peirce and their Associates proprietors of said Library and all such as may hereafter become proprietors of the same, be, and they hereby are, Incorporated into a body Politic, by the name of the proprietors of the Social Library in Hillsborough, with continuation and Succession forever, and in that name may sue and be sued in all personal Actions and may prosecute and defend the same to final Judgment and Execution And they are hereby, vested with all the powers and privilidges Incident to Corporations of a Similar nature, and may enjoin penalties of disfranchisement, or fine, not exceeding three dollars for each offence, to be recovered by said proprietors in an Action of Debt, to their use in any Court in this State proper to try the same, and they may make purchase and receive Subscriptions, grants and donations of personal Estate, not exceeding the sum of one thousand Dollars Exclusive of the Books belonging to said Library, for the purpose of their Association.

And be it further Enacted, that said proprietors be and they hereby are authorized to Assemble in Hillsborough aforesaid on the Tuesday following the first Monday in March Anually, to choose all such Officers as may be found necessary for the orderly conducting the affairs of said Corporation, who shall continue in Office until others are chosen in their Room, and that said Corporation may Assemble as often as may be found necessary for filling up any Vacancies which may happen in said Offices, and for Transacting all other business except the raising of monies, which shall not be done except at an Annual meeting, at which annual meetings, they are Impowered to Vote all such sums as shall be found necessary for defraying the annual expence of preserving said Library and for enlarging the same, And shall make and enact such rules and By Laws for the Government of said Corporation as may from time to time by them be found necessary, provided the same be not repugnant to the Constitution and Laws of this State or of the United States.

And be it further Enacted, that Jonathan Barnes and Joseph Symonds or either of them are hereby authorized and impowered to call the first meeting of said Proprietors at such time & place as they may appoint, by posting up a notification expressing the time, place and design of said Meeting at the Public Meeting House in said Hillsborough at least Fifteen days before the time of said meeting, and the said proprietors at said meeting may agree on the manner of calling meetings in future, and shall have all the powers to enact such By Laws and Choose all such Officers, as they may or can do, at their Annual Meeting.

[CHAPTER 30.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE TOWN OF COCKBURNE IN THE
COUNTY OF GRAFTON

[Approved December 16, 1797. Original Acts, vol. 15, p. 125; recorded Acts, vol. 10, p. 398.]

Whereas a petition signed by a number of the Inhabitants of said Cockburne has been preferred to the General Court representing that they labour under many inconveniences in their present situation with respect to their transacting Town affairs, wherefore they prayed that said Town might be incorporated by the name of Cockburne which petition appearing reasonable—Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened, that all the lands within the said Town of Cockburne be and the same are hereby incorporated into a Town

by the Name of Cockburne and the Inhabitants who now reside or shall hereafter reside within the said Town are constituted a body politic and corporate and invested with all such powers, privileges and immunities which Towns in this State are by law intituled to enjoy, to remain a distinct Town and have continuance and succession forever

And be it further enacted, that Abel Learned is hereby authorised and impowered to call a Meeting of said Inhabitants for the purpose of choosing all necessary Town Officers and shall preside therein until a Moderator shall be chosen to govern said Meeting; which Meeting shall be warned by posting up a Notification therefor at some public place in said Cockburn fourteen days, prior to the day of holding said Meeting: And the annual Meeting in said Town shall forever hereafter be holden the first tuesdays in the Month of March.

Provided always that nothing in this Act contained shall in any way or manner release the Inhabitants of said Town from paying their proportion of all debts now due from said Town or any Taxes now assessed on them as Inhabitants of said Town of Cockburne; but the same may be recovered, levied and collected from the Inhabitants of said Cockburne in the same way and manner as if this Act had not been passed.—

[CHAPTER 31.]

State of }
New Hampshire. }

AN ACT FOR RAISING TWENTY SIX THOUSAND, SIX HUNDRED, AND SIXTY SIX DOLLARS AND SIXTY SEVEN CENTS.

[Approved December 16, 1797. Original Acts, vol. 15, p. 126; recorded Acts, vol. 10, p. 416.]

Be it enacted by the Senate and House of Representatives in General Court convened, that there be raised the current Year, for the use of this State, twenty six thousand, six hundred and sixty six dollars and sixty seven Cents; which sum shall be assessed, collected and paid into the Treasury on or before the first day of March in the Year of our Lord one thousand, seven hundred and ninety nine, and is appropriated for discharging the debts due from this State and for the support of Government.

And be it further enacted, that the Treasurer be, and he hereby is directed seasonably to issue his Warrants to the Selectmen or Assessors of the several Towns, Parishes, and Districts within this State, agreeably to the last proportion Act, for assessing and collecting the said sum of twenty six thousand, six hundred and sixty six dollars, and sixty seven Cents; And the Selectmen and Assessors

aforesaid are hereby required respectively to assess and levy the same according to law and cause the same to be paid into the Treasury of this State on or before the first day of March in the Year of our Lord one thousand, seven hundred and ninety nine: And the Treasurer shall issue Extents for all taxes which shall then remain unpaid.

[CHAPTER 32.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT FOR ESTABLISHING COURTS OF LAW, FOR THE ADMINISTRATION OF JUSTICE WITHIN THIS STATE, AND DESIGNATING THEIR POWERS, AND REGULATING THEIR PROCEEDINGS IN CERTAIN CASES PASSED FEBRUARY / THE NINTH, ONE THOUSAND SEVEN HUNDRED AND NINETY ONE.

[Approved December 16, 1797. Original Acts, vol. 15, p. 127; recorded Acts, vol. 10, p. 419. Laws, 1805 ed., p. 67; id., 1815 ed., p. 64. The act referred to is printed in Laws of New Hampshire, vol. 5, p. 635. See acts of July 5, 1776, id., vol. 4, p. 34; March 25, 1782, id., p. 459; December 8, 1804, Laws, 1815 ed., p. 64; December 11, 1804, id., p. 65.]

Be it enacted by the Senate and House of Representatives in General Court convened That whenever it shall happen in consequence of any legal disqualification of one or more of the justices of either of the courts of common pleas or of the superior court of Judicature that there shall not be a quorum of said justices for the trial of any cause pending in either of said courts respectively any one or more of said justices in their respective courts not disqualified as aforesaid shall and they are hereby empowered to hear try and determine such cause & make any order relative thereto and award execution thereon in the same manner as all the justices of said court might do if present and competent to try the same, any law usage or custom to the contrary notwithstanding.

[CHAPTER 33.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT REGULATING POUNDS

[Approved December 16, 1797. Original Acts, vol. 15, p. 128; recorded Acts, vol. 11, p. 16. Laws, 1805 ed., p. 353; id., 1815 ed., p. 415; id., 1830 ed., p. 208. The act referred to is dated February 9, 1791, Laws of New Hampshire, vol. 5, p. 629.]

Be it enacted by the Senate and House of Representatives in General Court convened, that if any person shall make any pound breach or in any way directly or indirectly convey or deliver any

creatures out of any pound within this State without lawful authority so to do, or if any creatures legally impounded shall by any means be set at large otherwise than by due course of law the pound keeper or the person who impounded the same is hereby authorized any time within six days from the time of said breach to retake said creatures and impound them again, and the pound keeper and person impounding them shall have the same fees for impounding the second time which they were entitled to by law the first time said creatures were impounded And the pound keeper shall detain said creatures in pound until the damages and costs are satisfied for which they were first impounded with the additional costs of impounding after said breach or said, creatures are otherwise released by due course of law. And if any such creatures shall be found in any persons enclosure after such breach and the owner of the enclosure shall refuse to deliver them up to the pound keeper or the person who first impounded them upon his demanding said creatures it shall be considered as sufficient evidence against the person so detaining said creatures to convict him of having made the pound breach to release said creatures from the pound.

[CHAPTER 34.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE SOCIAL LIBRARY IN PACKERSFIELD

[Approved December 16, 1797. Original Acts, vol. 15, p. 129; recorded Acts, vol. 11, p. 68.]

Be it enacted by the Senate and House of Representatives in General Court Conven'd that Gad Newell Amos Child and Samuel Griffin and their associates proprietors of Said Library and all Such as may hereafter become proprietors of the Same be and they hereby are incorporated into a body politic by the name of the proprietors of the Social Library in Packersfield with all the powers and privileges incident to Corporations and may enjoin penalties of disfranchisement or fine not exceeding three dollars for each offence and make purchase and receive Subscriptions, grants and donations of personal estate not exceeding the Sum of one thousand dollars exclusive of the books Contained in Said Library for the purpose of their association

And Be it further enacted that the Said Society be and they hereby are authorized to assemble at Packersfield aforesaid on the first Thursday of November annually or on any other day Said proprietors Shall appoint to choose all Such officers as may be found Necessary for the orderly conducting the affairs of Said Corporation

who Shall continue in office untill others are Chosen in their room— and that the Said Corporation may assemble as often as they agree for filling up any Vacancies which may happen in Said officie's and for transacting all other business excepting the raising of monies which Shall be done always at their annual meeting on the Said first Thursday of November and at no other time— at which annual meeting they Shall vote all Necessary Sums for defraying the annual expences of preserving Said Library and for enlarging the Same

And Be it further enacted that Samuel Griffin and Amos Child or either of them are hereby authorized and impowered to call the first meeting of Said proprietors at Such time and place as they may appoint by posting up a notification of the Same at the public meetinghouse in Said Packersfield at least ten days before the time prefixed for holding Said meeting and the Said proprietors at Said meeting Shall have all the powers to enact by laws and Choose all Such officers as they may or can do at their Said annual meeting

[CHAPTER 35.]

State of)
New Hampshire. }

AN ACT TO RESTORE THOMAS MILLER TO LAW, AND GIVE HIM A NEW TRIAL IN CERTAIN CAUSES.

[Approved December 18, 1797. Original Acts, vol. 15, p. 130; recorded Acts, vol. 11, p. 28.]

Whereas, Thomas Miller of Antrim in the County of Hillsborough, Gentleman, hath preferred a Petition, to this Court, seting forth among other things that he was sued before Oliver Holmes Esquire one of the Justices of the peace in said County, in two Actions, the one commenced by Joseph Munroe, the other by Nehemiah Jones, as Plaintiffs, that the day of trial of said Actions was appointed on the thirtieth day of May last past, at Francestown in said County, that the said Thomas caused the monies due to the plaintiffs & the full Costs then arisen to be tendered to Samuel Bell Attorney to the plaintiffs, by Benjamin Peirce Esquire, his Agent duly authorized for that purpose, before the entry thereof and time of trial, that the said Bell, as Attorney aforesaid refused to take said Sums, and costs that had then legally arisen, and procured the said Thomas to be defaulted though his Attorney appeared to defend, and plead a Tender to said Action And praying the Legislature to take his case under their wise Consideration, and grant him a new Trial in each Action, as though the same had never been tried, and Liberty to file his pleas to the same, The prayer of which said petition, being reasonable and being granted.—

Be it Enacted, by the Senate and house of Representatives, in general Court convened, that the said Oliver Holmes the Justice, on his being served with an attested Copy of this Act, be, and he is hereby directed and authorized within three months from the passing thereof to notify the said Joseph Munroe and Nehemiah Jones, the plaintiffs in the before mentioned Actions, and the said Thomas the defendant to appear before him to prosecute, and defend the same, if they or he see Cause, giving at least fifteen days notice of the Time and place of Trial, and the said Thomas shall have full Liberty on said day of trial to file any plea of Tender, in Barr, or to Issue in either or both of said Actions as he may see fit, and the said Oliver Holmes is hereby impowered, and it shall be his duty to receive the said Thomas's Plea or Pleas, and to hear the Evidence and Witnesses of both parties, and to proceed to Judgment thereon, in the same manner, as though the same had been received and filed, in due Course of Law, at the time Judgment was rendered against him.

And be it further enacted, that any party aggrieved by the Judgment of the said Justice shall have full Liberty to Appeal therefrom to the next superior Court of Judicature, to be holden in the County, where said Trial is had, in the same manner as though the Judgments of default had not been rendered by said Justice, the party appealing bringing forward an *Attested* Copy of the whole Case, and each party shall have the benefit of any new, and further Evidence, on said Appeal.

And be it further enacted, that in case the said Justice, on trial of said Actions, or the said Superior Court of Judicature on Trial, on Appeal, shall Judge the Tender of the said Thomas to be good and Sufficient, that then in that Case, it shall be the duty of said Justice, as well as of the said Superior Court of Judicature, to Tax and Allow in the said Thomas's Bill of Costs, against the plaintiff in each Action, all such sums, Taxed as Costs, by the plaintiffs and recovered by them against the said Thomas, on the Executions Issued by said Justice against him, deducting therefrom the plaintiffs Legal Costs they were entitled to, at the time when said Tenders were made, any Law Usage or Custom to the Contrary notwithstanding

[CHAPTER 36.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT AUTHORIZING THE SUPERIOR COURT OF JUDICATURE TO GRANT TO THE ADMINISTRATORS OF THE ESTATE OF RICHARD JENNESS A NEW TRIAL OR REVIEW IN A CERTAIN ACTION WHICH ACT WAS PASSED THE TWENTY FIRST DAY OF JUNE ONE THOUSAND SEVEN HUNDRED & NINETY SEVEN

[Approved December 18, 1797. Original Acts, vol. 15, p. 131; recorded Acts, vol. 11, p. 32. For the act referred to, see recorded Acts, vol. 10, p. 255. See act of June 20, 1793, id., vol. 8, p. 193.]

Be it enacted by the Senate and House of Representatives in General Court convened That in case of the decease of either of said administrators the survivor or survivors may apply to the Superior Court of Judicature for a new trial or review of the action mentioned in said act And the said Superior Court of Judicature are hereby authorized and empowered, if in their opinion after a hearing of the parties justice shall require it, to grant a new trial or review in said action to the said survivor or survivors of said Administrators.

[CHAPTER 37.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT INTITLED AN ACT FOR REGULATING TOWNS AND THE CHOICE OF TOWN OFFICERS

[Approved December 19, 1797. Original Acts, vol. 15, p. 132; recorded Acts, vol. 10, p. 286. Laws, 1805 ed., p. 205; id., 1815 ed., p. 248. The act referred to is dated February 8, 1791, Laws of New Hampshire, vol. 5, p. 587. See act of December 16, 1796, Laws, 1815 ed., p. 248; June 14, 1799, id., p. 249; December 13, 1804, id., p. 249. Repealed June 28, 1827, id., 1830 ed., p. 451.]

Be it Enacted by the senate and house of representatives in General Court convened that at any legal meeting held in any town in this state where there is a moderator appointed to regulate said meeting if any person or persons shall disturbe said meeting or not Comply with the rules and regulations set forth in said act then in that Case the moderator is hereby authorised and impowered to command any Constable of said Town (who is hereby authorised & directed to command such assistance as may be Necessary and carry such Disorderly person or persons out of said meeting and

detain him or them untill the Business of said meeting is finished And be it Further Enacted that it shall be the duty of the Town Clerk after the choice of a moderator & before he enters on the business of said meeting to read all that part of said act that respects the powers and duty of moderators together with this additional act provided one or more persons in said meeting Request it—

[CHAPTER 38.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE SOCIAL LIBRARY IN LIME—

[Approved December 19, 1797. Original Acts, vol. 15, p. 133; recorded Acts, vol. 10, p. 293. Amended July 9, 1855, id., vol. 47, p. 495.]

Be it enacted by the Senate and House of Representatives in General Court convened that William Conant Walter Fairfield Jonathan Franklin Joseph Skinner John Tomson Calvin Porter and John Fairfield and their associates proprietors of said Library and all such as may hereafter become proprietors of the same be and they hereby are incorporated into a body politic by the name of the social Library in Lime with all the powers and privileges of Incorporations of a similar nature and may enjoin penalties of disfranchisement or fine not exceeding three dollars for any one offence and make purchase and receive subscriptions grants and donations of personal property not exceeding one thousand dollars exclusive of the Books belonging to said Library

And Be it further enacted that the said society be and they hereby are authorised to assemble at Lime aforesaid on the first monday of February in each year or on any other day said proprietors shall appoint to choose all such officers as may be found necessary for the orderly conducting the affairs of the said corporation who shall continue untill others are chosen in their room— and that the said corporation may assemble as often as they shall agree for filling up any vacancies which may happen in said officers and for transacting all other business excepting the raising monies which shall always be done at their annual meeting on the said first monday of February and at no other time at which meeting they shall vote all necessary sums for defraying the annual expences of preserving said Library and for enlarging the same

And Be it further enacted that Walter Fairfield and Jonathan Franklin or either of them be and hereby are authorised and empowered to call the first meeting of said proprietors at such time and place as he or they may appoint by posting up a notification of the

same at the public meeting-house in said Lime at Least ten days before the time prefixed for said meeting and the said proprietors at said meeting shall have all the powers to enact bye-laws and choose all such officers as they may or can do at their said annual meeting

[CHAPTER 39.]

State of }
New Hampshire. }

AN ACT TO AUTHORISE JOHN INNES CLARK SURVIVEING PARTNER
OF THE COMPANY OF CLARK AND NIGHTENGAL TO GIVE CONVEY-
ANCE OF LAND—

[Approved December 19, 1797. Original Acts, vol. 15, p. 134; recorded Acts, vol. 10, p. 402.]

Whereas John Innes Clark of Providence in the County of Providence and State of Rhod Island hath preferred a petition to this Court setting forth that he the said Clark and his late partner Joseph Nightengale late of said Providence deceased had become obligated by writeing under the firm of the said Company to convey by deed unto Sylvester Morey of Lime in the County of Grafton and State of New Hampshire fifty acres of Land in said Lime being part of a sixty acre Lott belonging to the right of Land given to the first settled minister in said Lime, but that the said Joseph Nightengale had deceased before the said deed could be given; and praying that he the said John Innes Clark may be authorised to carry the said agreement into full and compleat effect the death of his said partner notwithstanding—The prayer of which petition appearing reasonable and being granted.—Therefore—

Be it enacted by the Senate and house of Representatives in Genral Court convened that the said John Innes Clark be and he hereby is authorised to make seal and execute to the said Sylvester Morey in due form of Law such deed in writing as may be necessary to convey all the right and title of the said Joseph Nightingale in and unto the said Land of which he was possess'd at his deceas.—

[CHAPTER 40.]

State of }
New Hampshire. }

AN ACT TO AUTHORIZE DANIEL HUMPHREYS ESQ^R TO SELL AND CONVEY A CERTAIN LOT OF LAND IN PORTSMOUTH BELONGING TO HIS SON GEORGE HUMPHREYS A MINOR—

[Approved December 19, 1797. Original Acts, vol. 15, p. 135; recorded Acts, vol. 10, p. 405.]

Whereas Daniel Humphreys of Portsmouth Esq^r hath petitioned the General Court praying that he may be authorized to sell & convey to Abner Blasdel a Lot of Land in said Portsmouth belonging to the Petitioners Son George Humphreys a Minor, & whereas the proposed sale & conveyance appears by process exhibited in support of the Petition to be for the benefit of said Minor, therefore,

Be it enacted by the Senate & House of Representatives in General Court convened; that the said Daniel Humphreys be, and he is hereby fully authorized enabled & empowered to sell & convey by Deed executed in common form, to the said Abner Blasdel, a Lot of Land in said Portsmouth, lying on Atkinson Street & Pitt Street; which lot was devised to the said George Humphreys, in & by the last Will & Testament of Susanna Atkinson late of said Portsmouth Widow deceased. And the Deed of the said Dan^l Humphreys thereof so executed shall transfer to, & vest in the said Blasdel, his heirs & assigns, all the right & title of the said George, in & to said Lot, his minority or any law to the contrary notwithstanding—Provided the said Daniel Humphreys shall before making such conveyance, become bound to the Judge of Probate for the County of Rockingham with a Surety or Sureties, in such Sum as the said Judge shall direct, to account with said Minor on his arrival at full age, in such manner as Guardians are bound to account with their Wards, for profits arising from the sale of their Real Estate.

[CHAPTER 41.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS FOR THE PURPOSE OF BRINGING FRESH-WATER INTO THE TOWN OF PORTSMOUTH BY SUBTERRANEAN PIPES.

[Approved December 19, 1797. Original Acts, vol. 15, p. 136; recorded Acts, vol. 11, p. 18.]

Be it enacted by the Senate and House of Representatives in General Court convened That John Samuel Sherburne, Joshua

Brackett, Samuel Hill, James Sheafe, Joseph Whipple, Ammi Ruhamah Cutter and John Peirce with such other persons as are or may be associated with them be and they and their successors hereby are constituted a body corporate and politic forever by the name of "The Proprietors of the Portsmouth Aqueduct" for the purpose and with the exclusive right of bringing fresh water by subterraneous pipes into the said town of Portsmouth. And the said Proprietors may by their name aforesaid sue and be sued to final judgment and execution, and do and suffer all matters acts and things which bodies corporate can or ought to do and suffer. And the said corporation shall have and use a common seal and the same may break renew and alter at pleasure.

And be it further enacted that the said John Samuel Sherburne or any other person named in this act may call the first meeting of said proprietors by causing a notification thereof to be published in the New Hampshire gazette three weeks successively appointing some suitable time and place therefor: At which meeting said proprietors shall choose a clerk who shall be sworn to the faithful discharge of his duty and shall also agree on a method of calling meetings in future; and at said meeting or at any subsequent meeting may elect such officers and make and establish such regulations and bye-laws as to them shall seem necessary or convenient for carrying into effect the design of said corporation, not repugnant to the constitution and laws of this State; and may cause said regulations and bye-laws to be executed and annex penalties to the breach thereof not exceeding ten dollars for any one breach. And the clerk shall record this act and all the regulations, bye-laws and proceedings of said corporation in a book or books to be provided and kept for that purpose. And the share or shares of any of said proprietors may be transferred by deed duly executed, acknowledged and recorded by the clerk of said proprietors on their records.

And be it further enacted that the said proprietors are hereby empowered to purchase and hold in fee simple any real estate necessary for the purpose of their institution not exceeding in value the sum of Two thousand dollars. And the said proprietors are hereby authorized to enter upon and break up the ground and dig ditches in any land or enclosures or on any streets or highways through which it may be necessary for said aqueduct to pass, for the purpose of placing such pipes as may be necessary for building and compleating said aqueduct or of repairing the same when requisite; provided that in case the said proprietors and the owners of the land through which said aqueduct must pass shall not agree on the compensation to be made for the damage done to said land, the Superior Court of Judicature upon application of said proprietors or of the owners may appoint a committee who shall ascertain the same and make report to said court and the said court are authorized to render judgment on said report and issue execution accord-

ingly. And provided also that the said streets or highways shall not be dug up or opened by the said proprietors in such manner as to obstruct or hinder the citizens of the state from passing therein with their teams and carriages with convenience.

And be it further enacted that the said proprietors may from time to time assess such sum or sums of money on each share as they may judge necessary for compleating or repairing said aqueduct and may sell at vendue the share or shares of any delinquent who may refuse or neglect to pay his proportion of said tax after advertizing the sale of such share or shares in the Newhampshire Gazette or some other news paper printed in the town of Portsmouth fourteen days at least previous thereto, the overplus, if any there be after the payment of such tax and charges of sale to be paid to the delinquent.

And be it further enacted that if any person shall maliciously or wantonly injure said aqueduct and shall be convicted thereof upon indictment before the Superior Court of Judicature he shall be punished by fine not exceeding three hundred dollars and shall be liable to pay treble damages to said proprietors to be recovered by action of the case.

Provided, that this grant shall be void unless said aqueduct be compleated within five years from the passing of this act, and be ever afterwards kept in repair.—

[CHAPTER 42.]

State of)
New Hampshire. {

AN ACT TO GIVE A NEW TRIAL TO JOSIAH SANBORN IN A CERTAIN ACTION COMMENCE AGAINST HIM BY SAMUEL HOLLAND, WHICH HATH BEEN TRIED AND JUDGEMENT ENTERED THEREON BY ACTION OF REVIEW SOME TIME SINCE HELD IN THE COUNTY OF GRAFTON WITHIN THIS STATE.

[Passed December 19, 1797, without the approval of the Governor. Original Acts, vol. 15, p. 137; recorded Acts, vol. 11, p. 59. See act of same title, dated June 20, 1798, id., vol. 11, p. 87.]

Whereas Josiah Sanborn of Rumney in the County of Grafton in said State, hath petitioned the General. Court. setting forth, among other things, that some time since. an Action was commenced against him by Samuel Holland. to recover a certain Tract of Land in said. Rumney. which Land the Said Sanborn held by a vendue-title. that Said Action was carried to the Superior Court—and afterwards. at another term of said Superior Court. held in October 1795 the cause was put to a Jury. who gave a verdict in favour of Said Sanborn. who recovered Judgment thereon for his Cost—that. afterwards on another trial (on review) the Jury gave a verdict in favour

of the Said Sanborn. which was publicly read. recorded by the Clerk and affirmed by the Jury, and they dispersed: Some time after which Some of the Jurors Said that the Jury intended to have given the Cause against the Said Sanborn—

Whereupon the same being made known to the Court, upon motion of the Plaintiffs Council. without the Jury's haveing been sent out again. or all present the record was altered. and a verdict. of Said Jury against him. was recorded. which he conceived unjust—Wherefore the Said Sanborn prayed to be restored to a new Trial in said Action—The principal facts in said Petition appearing to be true. and the prayer thereof reasonable—Therefore—

Be it ennected by the Senate & House of Representatives in General. Court convened. and by the Authority of the Same That a new Trial be granted to the said Josiah Sanborn. in the Said Action. and that he have liberty to reenter the Same at the next Superior Court of Judicature to be holden at Plymouth. within. and for Said County of Grafton on the first Tuesday of June next. and to prosecute the Same. in as ample a Manner. in all respects. as if there had been no former trial or determination thereof in Said Court—and the Justices of the said Superior Court of Judicature are hereby authorised to Sustain the Same accordingly, and are fully impowered to render Judgment therein, and award Execution thereon, the former Judgment notwithstanding—

And be it further enacted that the said Sanborn Shall cause the said Holland, his Agent or Attorney. to be served with an attested Copy of this Act thirty days, at least. before the setting of the next Superior Court for the County of Grafton—

[CHAPTER 43.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO THE LAWS OF THIS STATE RESPECTING PAUPERS

[Approved December 20, 1797. Original Acts, vol. 15, p. 138; recorded Acts, vol. 10, p. 288. Laws, 1805 ed., p. 306; id., 1815 ed., p. 363. See acts of February 15, 1791, Laws of New Hampshire, vol. 5, p. 691; January 1, 1796, Laws, 1815 ed., p. 362; June 18, 1807; id., p. 359; June 27, 1809, id., p. 359.]

Whereas no provision is made by the Laws of this State for the Removal of Paupers, after being duly warned, whereby great inconveniences have arisen Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened, that any person, duly warned, being of vicious Character or having no visible means of support, and having no settlement in the Town or Place in which he or she does or may

reside, who shall neglect to depart such Town or Place for the space of fourteen days after warning given for that purpose may by warrant from the Selectmen thereof, or the major part of them, directed to any Constable of the same, be carried to the Town or Place in which he or she was last settled; and it shall be the duty of the Constable to whom such warrant may be directed faithfully to serve and return the same.

And be it further enacted that when any person shall be carried, pursuant to this Act, to the Town or Place where he or she had the last settlement and shall be returned again by Order of said Town or Place or the Selectmen thereof, to the Town or Place from which he or she was so carried, said Person, without warning, may be again removed as aforesaid as often as he or she may be returned to the Town or Place from which he or she was so returned, which Town or Place shall pay triple Costs for each removal, after the first, to be recovered in any Court proper to try the same, by the Selectmen of the Town to which the expence has arisen or by any other person or persons appointed to prosecute therefor.

And be it further enacted, that if the person removed as aforesaid shall voluntarily return to the Town or Place from which he or she was first carried, and shall remain there for the space of seven days, it shall be lawful for any Justice of the Peace in the County where the same may happen, to apprehend the offender, and hear and determine the offence and on conviction may sentence him or her to be publicly whipped not exceeding ten stripes for each offence; and if any person of the aforementioned description and not having a settlement within this State shall be warned to depart from the Town or Place where he or she may be and shall refuse or neglect, so to do for fourteen days after said warning, unless prevented by sickness or inability it shall be lawful for any Justice of the Peace in the County where the same may happen to apprehend said person and convene him or her before him for examination and if it be determined by said Justice that said Person so apprehended be of vicious Character or has no visible means of support, said Justice shall warn him to depart within ten days from the time of such warning and on his neglecting or refusing so to do, unless prevented by sickness or inability as aforesaid, it shall be lawful for said Justice to proceed against him or her as against the person voluntarily returning after removal as aforesaid.—And the Warrant before-mentioned shall be in the following form—Viz^t

State of	}	To any constable of	in the County of
New Hampshire			
	{	in said State	

Greeting

Whereas A B has no legal settlement in said & has been duly warned to depart therefrom & has neglected so to do more than fourteen days since the warning and is of vicious Character,

or has no visible means of support (as the case may be) & being last settled in the town or place of (as the case may be) in the County of in said State

In the Name of said State you are hereby required to take & carry the said A B to the town or place (as the case may be) of in which he was last settled & there deliver him to one of the SelectMen or Overseers of the poor of said with a copy of this warrant and make true return of said Warrant with your doings thereon as soon as may be—

Given under our hands and seals at the day of Anno Domini

[CHAPTER 44.]

State of }
New Hampshire. }

AN ACT POINTING OUT THE MODE OF ASCERTAINING AND ESTABLISHING THE BOUNDARY BETWEEN KINGSTON AND EAST KINGSTON—

[Approved December 20, 1797. Original Acts, vol. 15, p. 139; recorded Acts, vol. 10, p. 346. See acts of August 7, 1740, Laws of New Hampshire, vol. 2, p. 581, and June 16, 1798, recorded Acts, vol. 11, p. 78.]

Whereas the Selectmen of East Kingston in behalf of said Town have petitioned the General Court setting forth that Many inconveniences in repairing roads and levying taxes have arisen under the Acts of the Legislature of this State fixing the boundary Line between said Town and Kingston and that further difficulties will arise without the interposition of the Legislature— praying that a Committee may be appointed at the Joint Expence of said towns to ascertain and fix the boundaries between them with a view to prevent future Controversies—The Parties with their counsel having been fully heard and the prayer of said Petition appearing in part reasonable

Therefore

Be it enacted by the Senate and House of Representatives in General Court convened that the Honorable Ebenezer Thompson Robert Wallace and James Sheaffe Esq^{rs} be and they hereby are appointed a Committee at the expense of said East Kingston to view the Premises and hear the parties with their Allegations— and that they Notify the said Towns of Kingston and East Kingston at least fourteen days prior to the time of their Sitting— the report of Whom or any two of them being made to, and confirmed by said Court at their next session shall be final and considered in future as the boundary line between said Towns—

[CHAPTER 45.]

State of }
New Hampshire. }

AN ACT GRANTING LIBERTY TO CERTAIN PERSONS TO BUILD A BRIDGE
 OVER SAGAMORE CREEK

[Approved December 20, 1797. Original Acts, vol. 15, p. 140; recorded Acts, vol. 10, p. 391.]

Whereas William Seavey Edward Sargent Joseph Tucker and sundry other persons have petitioned the General Court representing that if a bridge was built over Sagamore Creek near Benjamin Lears house it would shorten the distance and facilitate the communication between the towns of Portsmouth and Rye and be of public utility praying for liberty to build said bridge by subscription. Which appearing reasonable

Therefore

Be it enacted by the Senate and House of Representatives in General court convened that the said William Seavey Edward Sargent and Joseph Tucker with such others as may think fit to join them be and they are hereby empowered to build a bridge over said Sagamore Creek near where the dwelling house of Benjamin Lear of Portsmouth now stands and the said William Seavey Edward Sargent and Joseph Tucker be and hereby are appointed managers to build & compleat said bridge And said bridge when compleated shall be and remain forever for the use of the citizens of this State who may have occasion to travel over the same

[CHAPTER 46.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF
 THE PROPRIETORS OF THE SOCIAL LIBRARY IN WASHINGTON

[Approved December 20, 1797. Original Acts, vol. 15, p. 141; recorded Acts, vol. 10, p. 421.]

Be it Enacted by the Senate and House of Representatives in General Court Conven'd that James Faxon Thomas Farwell Jun^r. Francis Faxon and Ephraim Farwell and their associates proprietors of Said Library and all Such as may hereafter become proprietors of the Same be and they hereby are incorporated into a body politic by the name of the proprietors of the Social Library in Washington with all the powers and privileges incident to Corporations and may enjoy penalties of disfranchisement or fine not exceeding three

dollars for each offence— and make purchase and receive Subscriptions grants and donations of personal estate not exceeding the Sum of one thousand dollars exclusive of the books Contained in Said Library for the purpose of their association

And Be it further enacted that the Said Society be and they hereby are authorized to assemble at Washington aforesaid on the Second monday of March annually or on any other day Said proprietors Shall appoint to choose all Such officers as may be found Necessary for the orderly Conducting the affairs of Said Corporation who shall Continue in office untill others are chosen in their place and that the Said Corporation may assemble as often as they agree for filling up any Vacancies which may happen in Said office's and for transacting all other business excepting the raising of monies which Shall be done always at their annual meeting on the Said Second monday of March and at no other time at which Annual meeting they Shall Vote all Necessary Sums for defraying the annual expences of preserving Said Library and for enlarging the Same

And Be it further enacted that James Faxon and Ephraim Farwell or either of them are hereby authorized and impowered to call the first meeting of Said proprietors at Such time and place as they may appoint by posting up a notification of the Same at the public meetinghouse in Said Washington at least ten days before the time prefixed for holding Said meeting and the Said proprietors at Said meeting Shall have all the powers to enact by-laws and choose all Such officers as they may or Can do at their Said annual meeting

[CHAPTER 47.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE SOCIAL LIBRARY IN GILSOM

[Approved December 20, 1797. Original Acts, vol. 15, p. 142; recorded Acts, vol. 11, p. 2.]

Be it Enacted by the Senate and House of Representatives in General Court conveyed that Elisha Fish, Aaron Hammond, Eleazer Willcox, Ebenezer Kilburn, Ebenezer Bill, Zadock Hurd, Samuel Whitney, David Blish Robert L. Hurd and their associates proprietors of said Library, and all such as may hereafter become proprietors of the Same, be, and they hereby are Incorporated into a body politick and corporate by the Name of the proprietors of the Social Library in Gilsom with continuation and Succession forever, and in that Name may sue and be sued in all actions personal, and may prosecute and defend the same to final Judgment and execution; and are hereby vested with all the powers and priviledges incident to cor-

porations of a Similar nature and may enjoin penalties of disfranchisements or fine not exceeding three Dollars for each offence to be Recovered in an action of debt to their use in any court in this State proper to try the same, and they may make, purchase and Receive Subscriptions, grants and donations of personal Estate not exceeding one Thousand dollars (exclusive of the books in said Library) for the purpose and use of their Association

And be it further Enacted that said Society be and they hereby are authorised to assemble at Gilsom aforesaid on the first monday in October annually to Choose all such Officers as may be found Necessary for the orderly conducting the affairs of said Corporation who shall continue in Office until others are chosen in their Room; and said Corporation may assemble as often as may be found necessary for filling up any vacancies that may happen in said Offices, and for transacting all other business excepting the Raising of monies which shall be always done at their annual Meetings and at no other time, at which time they may vote all necessary sums for defraying the annual expence of preserving said Library and for enlarging the same—And said corporation shall have power to make such Rules and by laws for the government of said society as may from time to time be found necessary provided the same be not Repugnant to the Constitution and Laws of this State—

And be it further Enacted that Elisha Fish and Aaron Hammond or either of them are hereby authorised and impowered to call the first meeting of said proprietors at such time and place as they may appoint by posting a Notification for that purpose at the meeting house in said Gilsom at least fifteen days prior to said meeting, and the said proprietors at said meeting shall have the same power to choose Officers and make by laws as they have by this act at their annual meetings

[CHAPTER 48.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT TO FACILITATE THE OPENING AND MAKING PASSABLE A CERTAIN ROAD FROM BARLOWS MILLS SO CALLED IN STRATFORD IN THE COUNTY OF GRAFTON IN SAID STATE TO THE GREAT ROAD IN SHELBURNE" PASSED JANUARY THE SIXTEENTH ONE THOUSAND SEVEN HUNDRED AND NINETY FIVE—

[Approved December 20, 1797. Original Acts, vol. 15, p. 143; recorded Acts, vol. 11, p. 7. The act referred to is found in recorded Acts, vol. 9, p. 101.]

Whereas it was intended in and by said Act that the said road leading from Barlows mills in Stratford to the Great road in Shelburne should pass through the towns of Paulsbourg and Maynesborough but doubts have arisen because those Towns were not properly named in said act, And it being reported that said Town of Stratford hath opened a Considerable part of its share of the said road,

Therefore,

Be it enacted by the Senate and House of Representatives, in General Court convened, That the proprietors and owners of lands in said Towns of Paulsbourg, Maynesborough and Stratford respectively, shall within two year from and after the passing of this act, cut, clear, bridge and make passable for loaded Teams and passengers the said road or highway within their respective Towns and produce to the treasurer of this State an authentic certificate thereof from the Justices of the Court of common pleas in the County where said Towns are situate,

And be it further enacted that upon the failure or neglect of the proprietors and owners of either of said Towns respectively to cut, clear bridge, and make passable the said road or highway in manner aforesaid and to produce a Certificate thereof as aforesaid, that it shall be the duty of the Treasurer of this State, for the time being to issue his warrants for levying collecting and paying into the Treasury of this State a sum or sums equal to three Cents upon the Acre on each and every acre of land in such delinquent Town or Towns respectively— And that the said Treasurer and all other Officers concerned in the Collecting of said sums shall observe and govern themselves by the rules directions and regulations prescribed by Law for collecting State taxes upon unimproved lands in Towns and places unincorporated. Which sums when paid into the Treasury are hereby appropriated to the sole purpose of cutting clearing bridging and making good and passable as aforesaid the said road

in the respective Towns aforesaid in such manner as the General Court shall hereafter direct.—

And be it further enacted that the Secretary shall cause this act to be published three weeks successively in the Newhampshire Gazette commencing within one month from and after the passing hereof.—

[CHAPTER 49.]

State of)
New Hampshire. }

AN ACT DIRECTING THE MODE OF LEVYING EXECUTIONS AGAINST TOWN CORPORATIONS AND CERTAIN OTHER PROCEEDINGS

[Approved December 20, 1797. Original Acts, vol. 15, p. 144; recorded Acts, vol. 11, p. 55. Laws, 1805 ed., p. 208; id., 1815 ed., p. 155. See acts of February 8, 1791, Laws of New Hampshire, vol. 5, p. 587; December 16, 1796, Laws, 1797 ed., p. 469; December 19, 1797, id., 1805 ed., p. 205; June 14, 1799, id., p. 208; December 13, 1804, id., p. 208. Repealed by act of June 26, 1827, id., 1830 ed., p. 108.]

Be it enacted by the Senate and House of Representatives in General Court convened, that when judgment shall be rendered against Town corporations in any civil suit the goods and estate belonging to such corporation shall be answerable and stand chargeable to satisfy said judgment and execution may be sued out and levied as in other cases. And when the officer having such execution cannot find any goods or estate belonging to such town corporation he shall apply to the selectmen of said town or any one of them whose duty it shall be to pay and satisfy the same in money, if they have any in their hands or in the town treasury. And if said Selectmen have not money in their hands or in the town treasury sufficient to discharge such execution the said officer shall leave an attested copy of the same with said selectmen who are hereby empowered to assess the inhabitants of such town in a sum sufficient to satisfy such execution with costs agreeably to law and to collect such assessment by themselves or a collector by them appointed within thirty days from the time of such assessment being made And if any collector who shall have an assessment committed to him with a warrant to collect the same by virtue of this act, shall neglect to collect and pay over to the selectmen the sums mentioned in such assessment within thirty days after he shall receive the same, it shall be lawful for the selectmen to issue their extent against such collector.

And be it further enacted that when any selectmen shall be served with the copy of an execution agreeably to this act and the same shall not be satisfied within sixty days from the time of such copy being left with them such selectmen their persons proper goods or

estate shall be liable and subject to be taken upon the execution so sued out and the same may be so satisfied with costs.

And be it further enacted that upon any indictment presentment or information against any town-corporation, a summons shall issue against such town corporation and shall be served by leaving an attested copy with the town clerk or selectmen or at either of their last and usual places of abode, and if there be no selectmen or town clerk with an inhabitant of such town at least thirty days prior to the sitting of the court which shall be deemed a sufficient service and notice and the selectmen or their agent or attorney duly authorized by the town shall be admitted to plead and defend in the name & behalf of the town and upon due service being made if the selectmen or the agent or attorney or other inhabitant so summoned do not appear or appearing do not plead the court shall order the general issue to be entered upon which the merits shall be tried and judgment rendered accordingly. And all fines or amercements duly set and imposed may be levied and collected by execution or warrant of distress in the name of the State to be sued out upon the judgment in the same manner as is pointed out in this act for collecting executions which issued on civil suits—

And be it further enacted that all actions or prosecutions for or against any town corporation, shall be sued and prosecuted by the corporate name of the town and not otherways.

[CHAPTER 50.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT, ENTITLED AN ACT TO PREVENT THE
DESTRUCTION OF SALMON, SHAD AND ALEWIVES IN MERRIMAC
RIVER AND FOR REPEALING ALL THE LAWS HERETOFORE MADE FOR
THAT PURPOSE

[Approved December 20, 1797. Original Acts, vol. 15, p. 145; recorded Acts, vol. 11, p. 52. Laws, 1805 ed., p. 390. The act referred to is dated June 18, 1790, Laws of New Hampshire, vol. 5, p. 527. See acts of January 12, 1795, Laws, 1797 ed., p. 408, and December 27, 1798, id., 1805 ed., p. 391. Repealed June 20, 1811, id., 1815 ed., p. 444.]

Be it enacted by the Senate and House of Representatives in General Court convened that no person shall at any time or on any day catch, kill or destroy any salmon, shad or alewives within five Rods of any mill dam or sluice-way in said River or any of the streams falling into the same or within fifteen Rods of the mouth of any of the streams aforesaid on penalty of forfeiting the sum not exceeding ten dollars nor less than five for each fish so caught, killed or destroyed.

An be it further enacted, that if any seine, net, or other implement used for catching or destroying said fish shall, within the time inhibited by said Act, be found in or upon either of the Islands in said Merrimac river or in any of the streams falling into the same, such seine, net or implement shall be forfeited to the use of any person, who shall sue for the same; and it shall and may be lawful for any person to take, remove or carry away any seine, net or other implement found in or upon any Island as aforesaid and convert the same to his own use

And be it further enacted, that the fifth paragraph in said Act which is in the following words "And be it further enacted, that no person shall at any time, or any day catch, kill or destroy any salmon, shad or alewife, within twenty yards of any mill dam or sluice-way in said river, or any of the streams falling into the same on penalty of forfeiting a sum not exceeding forty shillings nor less than five for each fish so caught, killed or destroyed" be and hereby is repealed.—

Provided also that the river Piscataquog shall be exempted from the operation of this Act, any thing therein contained to the contrary notwithstanding.

[ORDERS, RESOLVES AND VOTES OF A LEGISLATIVE NATURE PASSED DURING THIS SESSION.]

1797, November 23.

Voted that M^r French M^r Gardner & M^r Everett be a Committee to receive from Daniel Warner Esq^r the evidence of his resignation as auxiliary collector of Excise and report thereon—

[House Journal, 1794-99, p. 481.]

1797, November 23.

The Committee to receive from Daniel Warner Esq^r the evidence of his resignation &c Reported that by a Letter from Joshua Wentworth Esq^r Supervisor of the Revenue for the District of New Hampshire to Daniel Warner Esq^r dated October 18th 1797, it appears that said Warner has resigned his office as Auxillary collector and that the resignation was accepted by the Supervisor from the first day of said October— which report was accepted—

[House Journal, 1794-99, p. 484.]

1797, November 24.

Voted that M^r French M^r Gardner & M^r Everett be a Committee to receive from John Mann & John Smith Esq^rs the evidence of their resignation of their Respective Offices as deputy post masters under the post-master General of the United states and report thereon—

[House Journal, 1794-99, p. 487.]

1797, November 24.

The Committee to receive from John Mann & John Smith Esq^rs the evidences of their Resignation of their respective Offices as Deputy post masters under the Post master General of the United states— Reported that by a report of a Committee upon elections the last session of the General Court it does not appear that John Smith Esq^r at that time held the Office of Deputy postmaster nor have your Committee any evidence of his exercising that Office since— Also that your Committee have received no evidence of the resignation of John Mann Esq^r as deputy postmaster except his own declaration and a Certificate herewith exhibited— The Certificate was in the following words—

ORFORD 15th Nov^r 1797—

John Mann Jun^r appeared before me and declared that he had resigned the Post Office in favour of Elijah Mann—

Jon^a Sawyer Justice Peace

Which report and certificate being read and considered the following question was put, Is John Mann Jun^r entitled to hold a seat in this House—Voted in the affirmative. The following question was then put is John Smith Esq^r entitled to hold a seat in this House—Voted in the Affirmative—

[House Journal, p. 488.]

1797, November 27.

Resolved that the Committee who have sold Lands pursuant to an Act intituled “an Act for repairing and making fit for the passing of Carts and waggons the road from the Town of Conway to the upper Cooss, and also for cutting a new road from said road which is now used to the Town of Gunthwait or to the Town of Littleton formerly called Apthorp for the purposes therein mentioned” shall before the expiration of the present Session of the General Court render an Account of their sales and expenditures on said road to Oliver Peabody John Goddard & Woodbury Langdon Esquires, who are hereby authorized to Adjust the Account or Accounts so rendered and directed to lay the same before the General Court the present Session—And if the said Committee for laying out and making said road shall neglect to render an Account of their sales and expenditures on said Roads to the Committee appointed to settle the same within the time aforesaid and pay the Balance if any into the hands of said Committee appointed to settle the same—That the Attorney General be and hereby is directed to commence actions against said Committee for laying out said Roads &c at the Court of Common pleas in the County of Rockingham as soon as may be after the present Session of this Court—

[House Journal, 1794-99, p. 490. Senate Journal, 1797-1800, p. 57.]

1797, December 7.

Resolved that the Select men or the Major part of them at the charge of the Town parish or place they belong to shall take an Inventory of the Polls and rateable Estates of the Towns parishes and places following (viz) Allenstown Atkinson, Bow, Brintwood, Candia, Canterbury, Chester

Chichester, Concord, Deerfield, East Kingstown Epping, Epsom, Exeter, Greenland, Hampstead, Hampton, Hampton falls, Hawke, Kensington Kingstown, Londonderry, Loudon, Newington Newmarket, New Castle, Newtown, Northfield, North Hampton, Northwood, Nottingham, Pelham, Pembroke, Plaistow, Poplin, Portsmouth, Pittsfield, Raymond, Rye, Salem, Sandown, Seabrook, South Hampton, Stratham, Windham—Alton, Barnstead, Barrington, Brookfield, Center Harbour, Conway, Dover, Durham, Eaton, Effingham, Gilmantown, Lee, Madbury, Merrideth, Middletown, Moultonborough, New Durham, New Hampton, Ossippe Rochester, Sanborntown, Sandwich, Sommersworth, Tamworth, Tuftonborough, Wakefield, Wolfeborough,—Amherst Andover, Antrim, Bedford, Boscawen, Campbels, gore, Dearing Derryfield, Dunbarton, Dunstable, Fishersfield, Francestown, Goffstown, Greenfield, Hancock, Hinnekar, Hillsborough, Holles, Hopkinton, Kearsarge gore, Litchfield, Lyndeborough, Mason, Merrimac, Millford, New Boston, New Ipswich, New London, Nottingham west, Peterborough, Raby, Salisbury, Sharon, Society-land, Sutton, Temple, Warner, Weare, Wilton,—Acworth, Alstead, Charles-town, Chesterfield, Claremont, Cornish, Croydon, Dublin, Fitzwilliam, Gilsom, Goshen, Hinsdale, Jaffrey, Keene, Langdon, Lempster, Marlborough, Marlow, New Grantham, Newport, Packersfield, Plainfield, Richmond, Rindge, Springfield Stoddard, Surry, Sullivan, Swanzey, Unity, Walpole, Washington Wendall, Westmoreland, Winchester,—Alexandria, Bath, Bartlett, Bridgewater, Burton, Bretton-woods, Cambridge, Campton, Canaan, Chatham, Cockburne, Colebrook, Concord in the County of Grafton, Coventry, Dalton, Danbury, Dorchester, Dummer, Enfield, Errol, Franconia, Grafton, Groton, Hanover, Haverhill, Hebron, Jafferson, Kilkenny, Lancaster, Landaff, Lebanon, Lincoln, Littleton, Lyman, Lime, Millsfield, New Chester, New Holderness, Northumberland, Orange, Orford, Peeling, Piercy, Piermont, Plymouth, Rumney, Shelburne, Stratford, Success, Thornton, Trecothick, Warren, Wentworth, Maynesborough, Paulsbourg, Whitefields, Durand, Stewart town,—Locations granted to the following persons (viz) William Erving, Barker, Winslow, Nash & Sawyer, John Goffe, Mark H Wentworth, Daniel Rogers, & Jacob Treadwell, Hugh Sterling, Samuel Sherburne and others, Thomas Martin, Joshua Martin, Theophilus Dame John Hurd, Stephen Holland, Archibald Stark, Samuel Hale, Francis Greene, Samuel Stark, Rindge and Pierce, George Wentworth, Caldwell, Thomas Chadbourne, Gridley, Wales, which Inventory shall consist of all male polls from eighteen to seventy years of age, (except such from eighteen to twenty one as shall be enrolled in the Militia, Instructors and students of Colleges, Ordained Ministers and preceptors of Academies, Paupers and Idiots)—Also of the following articles which each person shall be possessed of on the first day of April next (viz) Orchard, Arable, mowing & pasture land, accounting so much orchard as will in a common season produce ten barrels of Cyder or Perry one Acre—so much pasture land as will summer a Cow four Acres, what mowing land will commonly produce one ton of good english hay yearly, or meadow hay in proportion one Acre And what Arable and tillage land will commonly produce twenty five bushels of Corn yearly, one acre, in which is to be considered all land planted with Indian Corn, petatoes, and beans, and Sown with grain flax or peas—

All Stallions or stud horses that have been wintered three winters, all

other horses and Mares distinguishing those which have been wintered two, three, four & five winters— All oxen Cows and young cattle distinguishing those which have been wintered two three and four winters, Cows that have been wintered five winters and Oxen that have been wintered five winters,—All mills wharves and ferries and the yearly rent thereof, yearly repairs thereof being first deducted according to the judgment of the persons taking the Inventory—, The sum total of the value of all real Estate (viz) Lands and buildings not included in the above mentioned Articles, (exclusive of Toll bridges) whether owned by residents or Nonresidents except such as are appropriated to public use,— The sum total of the value of all stock in trade— The Sum total of all money on hand or at Interest more than the party pays Interest for— That said Inventory taken as above be made agreeable to the following form and returned into the Secretary's office on or before the Second Wednesday of June next —

	Persons from 18 to 70 years of age, excepting those from 18 to 21 enrolled in the Militia, Instructors and Students of Colleges Ordained Ministers, Preceptors of Academies Paupers & Idiots.
	Acres of Orchard Land
	Acres of Arable or tillage Land
	Acres of mowing Land
	Acres of pasture Land
	Stallions or Stud horses that have been wintered 3 winters & upward
	Other horses and mares wintered five winters
	Horses and mares wintered four winters
	Horses and mares wintered three winters
	Horses and mares wintered two winters
	Oxen wintered five winters
	Cows wintered five winters
	All neat stock wintered but four winters
	All neat stock wintered but three winters
	All neat stock wintered but two winters
	Yearly rent or income of wharves mills and ferries, yearly repairs deducted
	Sum total of the value of all buildings and Real Estate improved owned by Residents or nonresidents, not included in the above—
	Sum total of the value of all stock in trade
	Sum total of Money at Interest, including bank stock, Stock in the funds and Securities for any kind of property at Interest more than Interest is paid for—
	Sum total of the value of all unimproved lands owned by residents or Nonresidents—

That every person is required to give in a true and faithful Inventory of all the foregoing Articles belonging to him respectively on Oath if required thereto by the person or persons taking said Inventory who are

hereby impowered to administer the Same, and on refusal or neglect thereof the person or persons taking said Inventory are to set down to him or them so refusing or neglecting so much as in his or their judgment appears equitable by way of doomage—

That the person or persons taking said Inventory shall take an Oath to be administred by any justice of the Peace in the County where the Inventory is taken that they have faithfully and impartially made said Inventory a certificate of which Oath from the justice who administred it, shall be returned with said Inventory into the Secretarys Office—

That the Select men of the next oldest Town, to any town parish or place where no select men are chosen shall take an Inventory of such town parish or place or appoint some person or persons in the said respective places to do the same and return it as aforesaid for which they shall be paid an adequate reward out of the Treasury on their Account being exhibited & allowed by the General Court

And also that said Select men shall return distinctly the amount of footing of each column of the Inventory taken last April so that the number of Polls, Horses, Cattle, acres of improved land, value of unimproved lands, and all other rateable Estate inventoried and rated in each Town Parish and place the present year may appear—

[House Journal, 1794-99, p. 514. Senate Journal, 1797-1800, p. 82.]

1797, December 19.

Resolved that his Excellency the Governor be and he hereby is authorised and requested to procure and transmit to each State of the Union at the expence of this State one volume of the Laws of the State of New Hampshire and request of them an exchange of Laws—

[House Journal, 1794-99, p. 559. Senate Journal, 1797-1800, p. 112.]

1797, December 20.

The Committee to take into consideration the propriety of Sundry Locations being classed with Conway and Bartlett for Representation and the Constitutionality of the Inhabitants of said Locations being legal voters for the choice of a Representative— Reported that they have examined the Constitution as it relates to the Subject mentioned and give it as their Opinion that the Inhabitants of the Locations classed with Conway and Bartlett have a clear constitutional right of voting for a Representative to the General Court which report being read and considered was received & accepted—

[House Journal, 1794-99, p. 561.]

[SEVENTH GENERAL COURT.]

*[Held at Hopkinton and Concord, Two Sessions, June 6, 1798,
to December 28, 1798.]*

[OFFICERS OF THE GOVERNMENT.]

JOHN TAYLOR GILMAN, GOVERNOR.
JOSEPH PEARSON, SECRETARY.
NATHANIEL PARKER, DEPUTY SECRETARY.
OLIVER PEABODY, TREASURER.
JOSHUA ATHERTON, ATTORNEY GENERAL.
AMOS SHEPARD, PRESIDENT OF THE SENATE.
JOHN PRENTICE, SPEAKER OF THE HOUSE.

[MEMBERS OF THE COUNCIL.]

Joseph Cilley,	Nottingham.
Aaron Wingate,	Farmington.
Robert Wallace,	Henniker.
Thomas Bellows,	Walpole.
Russell Freeman,	Hanover.

[MEMBERS OF THE SENATE.]

Moses Leavitt,	North Hampton.
Jeremiah Fogg,	Kensington.
Joseph Blanchard,	Chester.
Michael McClary,	Epsom.
William Hale,	Dover.
Nathan Hoit,	Moultonborough.
John Orr,	Bedford.
James Flanders,	Warner.
Ephraim Hartwell,	New Ipswich.
Elisha Whitcomb,	Swanzey.
Amos Shepard,	Alstead.
Moses Baker,	Campton.

[MEMBERS OF THE HOUSE.]

Acworth,	William Grout.
Alexandria. See New Chester	
Allenstown and }	
Bow, }	Enoch Noyes.
Alstead,	Moses Hale.
Alton. See New Durham.	
Amherst,	William Fisk.

Andover,	Joseph Philbrick.
Antrim and	Jonathan Nesmith.
Campbell's Gore, }	
Atkinson and }	Ezekiel Gile.
Plaistow, }	
Barnstead,	Charles Hodgdon.
Barrington,	Isaac Waldron.
	Joseph Boodey.
Bartlett. See Conway.	
Bath, }	Peter Carleton.
Landaff and }	
Lincoln, }	Isaac Riddle.
Bedford,	
Boscawen,	Enoch Gerrish.
Bow. See Allenstown.	
Bradford. See Fishersfield.	
Brentwood,	Jabez Smith.
Bridgewater. See New Chester.	
Brookfield. See Wolfeboro.	
Burton. See Tamworth.	
Campbell's Gore. See Antrim.	
Campton. See Holderness.	
Canaan. See Orange.	
Candia,	Thomas Wilson.
Canterbury,	David McCrillis.
Charlestown and }	Samuel Stevens.
Langdon, }	
Chester,	William White.
Chesterfield,	Simon Willard.
Chichester,	Nathaniel Morrill.
Claremont,	Josiah Stevens.
Cockburn. See Colebrook.	
Colebrook, }	Chauncey Curtis.
Cockburn, }	
Shelburne, }	
Stewartstown and }	
Wales Location, }	
Concord,	Jacob Abbott.
Concord (Lisbon). See Lyman.	
Conway, }	Obed Hall.
Bartlett and }	
Locations, }	
Cornish,	Ithamar Chase.
Coventry. See Haverhill.	
Croydon and }	Edward Hall, Jr.
Wendell, }	
Dalton. See Littleton.	

Danbury.	See New Chester.	
Deerfield,		Richard Jenness.
Deering,		Robert Alcock.
Derryfield.	See Litchfield.	
Dorchester.	See Groton.	
Dover,		John Waldron.
Dublin,		John Morse.
Dunbarton,		David Story.
Dunstable,		Frederick French.
Durham,		Ebenezer Thompson, Jr.
East Kingston.	See South Hampton.	
Eaton.	See Tamworth.	
Effingham and }		
Ossipee, }		Carr Leavitt.
Enfield,		William Johnson.
Epping,		William Plumer.
Epsom,		Josiah Sanborn.
Exeter,		Benjamin Connor.
Fishersfield and }		
Bradford, }		Humphrey Jackman.
Fitzwilliam,		Nahum Parker.
Francestown,		Thomas Bixby.
Franconia.	See Lyman.	
Gilmanton,		Joseph Young.
		Samuel Shepard.
Gilsum.	See Surry.	
Goffstown,		Robert McGregore.
Goshen.	See Unity.	
Grafton.	See Orange.	
Greenfield and }		
Society Land, }		Robert Dinsmoor.
Greenland,		Joshua Weeks.
Groton,		
Dorchester and }		Joseph Burley.
Hebron,		
Hampstead,		John True.
Hampton,		Oliver Whipple.
Hampton Falls and }		Elisha Brown.
Seabrook, }		William Brooks.
Hancock,		Samuel Slade.
Hanover,		Moody Bedel.
Haverhill and }		
Coventry, }		Timothy Tilton.
Hawke and }		
Sandown, }		
Hebron.	See Groton.	

Henniker,	Aaron Adams.
Hillsborough,	Benjamin Pierce.
Hinsdale,	Seth Hooker.
Holderness,	
Campton and } Thornton,	John Mooney.
Hollis,	Daniel Emerson.
Hopkinton,	Thomas Bailey.
Jaffrey,	Joseph Thorndike.
Jefferson. See Littleton.	
Keene,	Lockhart Willard.
Kensington,	Joseph Brown.
Kingston,	Levi Bartlett.
Lancaster. See Littleton.	
Landaff. See Bath.	
Langdon. See Charlestown.	
Lebanon,	Nathaniel Porter.
Lee,	Nathaniel Clough.
Lempster and } Marlow,	Jabez Beckwith.
Lincoln. See Bath.	
Litchfield and } Derryfield,	Robert Parker.
Littleton,	
Dalton,	James Rankin.
Lancaster and } Jefferson,	
Londonderry,	John Prentice.
Loudon,	James Pinkerton.
Lyman,	John Drew.
Concord (Lisbon) and } Franconia,	Joshua Quimby.
Lyme,	John Fairfield.
Lyndeborough,	Ephraim Putnam.
Madbury,	John Wingate.
Marlborough,	Jedediah Tayntor.
Marlow. See Lempster.	
Mason,	Joseph Barrett.
Meredith,	Richard Boynton.
Merrimack,	Samuel Forster.
Middleton. See Wakefield.	
Milford and } Raby,	Benjamin Farley.
Moultonborough and } Tuftonboro,	Joseph Richardson

New Boston,	}	Ninian Clark.	
New Chester,		}	Thomas Crawford.
Bridgewater and			
Alexandria,			
New Durham and	}	Thomas Jewett.	
Alton,			
New Grantham.	See Springfield.		
New Hampton,		Levi Dow.	
Newington,		Ephraim Pickering.	
New Ipswich,		Charles Barrett.	
Newmarket,		James Smith.	
Newport,		Jesse Lane.	
Newton,		Theophilus Goodwin.	
Northfield,		Thomas Clough.	
North Hampton,		Thomas Leavitt.	
Northumberland,	}	Jeremiah Eames.	
Stratford and			
Piercy,			
Northwood,		Jonathan Clark.	
Nottingham,		Jonathan Cilley.	
Nottingham West,		Joseph Greeley.	
Orange,	}	Daniel Blaisdell.	
Canaan and			
Grafton,	}	Samuel Morey.	
Orford and			
Wentworth,	}	Samuel Griffin.	
Ossipee.			
See Effingham.		Amos Moody.	
Packersfield,		Daniel Knox.	
Pelham,		John Smith.	
Pembroke,			
Piercy.	See Northumberland.	Thomas Russell, Jr.	
Peterborough,			
Piermont and	}	Robert Tibbetts.	
Warren,			
Pittsfield,		Daniel Kimball.	
Plainfield,		Josiah Brown.	
Plaistow.			
See Atkinson.		Woodbury Langdon.	
Plymouth and			
Rumney,	}	Samuel Drowne.	
Poplin.			
See Raymond.		Nathaniel White.	
Portsmouth,			
Raby.	See Milford.	Ezekiel Godfrey.	
Raymond and			
Poplin,			

Richmond,	Moses Tyler.
Rindge,	Daniel Rand.
Rochester,	Joseph Clark.
	William Palmer.
Rumney. See Plymouth.	
Rye,	Joseph Parsons.
Salem,	Silas Betton.
Salisbury,	John C. Gale.
Sanbornton,	William Harper.
Sandown. See Hawke.	
Sandwich,	Asa Crosby.
Seabrook. See Hampton Falls.	
Sharon. See Temple.	
Shelburne. See Colebrook.	
Society Land. See Greenfield.	
Somersworth,	James Carr.
South Hampton and }	Benjamin Barnard.
East Kingston, }	
Springfield and }	Robert Duncan.
New Grantham, }	
Stewartstown. See Colebrook.	
Stoddard,	Nathaniel Emerson.
Stratford. See Northumberland.	
Stratham,	Nicholas Rollins.
Sullivan,	Samuel Seward.
Surry and }	Jonathan Robinson.
Gilsum, }	
Sutton. See New London.	
Swanzy,	Calvin Frink.
Tamworth, }	
Eaton and }	Jeremiah Gilman.
Burton, }	
Jeremiah Gilman served during the June session. In the December session David Gilman was representative.	
Temple and }	Ebenezer Edwards.
Sharon, }	
Thornton. See Holderness.	
Tuftonboro. See Moultonborough.	
Unity and }	Josiah Moody.
Goshen, }	
Wakefield and }	Jonathan Palmer.
Middleton, }	
Wales Location. See Colebrook.	
Walpole,	Thomas Sparhawk.
Warner,	Aquila Davis.
Warren. See Piermont.	
Washington,	Azariah Faxon.

Weare,	Samuel B. Tobie.
Wendell. See Croydon.	
Wentworth. See Orford.	
Westmoreland,	Alpheus Moore.
Wilton,	Philip Putnam.
Winchester,	Samuel Smith.
Windham,	Samuel Armor.
Wolfeboro and }	
Brookfield, }	Henry Rust, Jr.

[*First Session, Held at Hopkinton, June 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 18, 19, 20, 1798.*]

[CHAPTER 1.]

State of }
New Hampshire. }

AN ACT TO SETTLE THE BOUNDARIES BETWEEN KINGSTOWN AND EAST KINGSTOWN

[Approved June 16, 1798. Original Acts, vol. 16, p. 1; recorded Acts, vol. 11, p. 78. See act of December 20, 1797, id., vol. 10, p. 346.]

Whereas by an act or Law of this State made and passed the sixteenth day of December AD.1797—

The honorable Ebenezer Thompson, Robert Wallace, and James Sheaf Esq^{rs} were appointed a committee to view and settle the boundaries between Kingstown and East Kingstown, and have reported the following line will be the most proper to divide said Towns (Viz) Beginnig at New-town line and running north through, or across the center or middle of a line drawn from the Meetinghouse in Kingstown to the Meetinghouse in East Kingstown, being the same line established by an act of the legislature in the Year of our Lord 1740 and so continuing north untill it comes within the distance of one mile and eighty rods of Brentwood line, then to turn off and run straight to Exeter line at a place three quarters of a mile distant westerly from Kensington corner—

Be it therefore enacted by the Senate and house of Representatives in general court convened, that the line beginning on New Town line, and running north through or across the center or middle of a line drawn from the Meetinghouse in Kingstown to the Meetinghouse in East Kingstown, being the same line established by an act of the legislature, in the year of our Lord 1740 and so continuing north untill it comes within the distance of one mile and eighty rods of Brentwood line, then to turn off and run straight to Exeter line, at a place three quarters of a mile distant westerly from Kensington

corner, be and the same hereby is declared and established to be the true divisional line between the Town of Kingstown and East Kingstown for the future—

And be it further enacted that Peter Sanborn Esq^r with such of his estate as he now owns, and was formerly polled into Kingstown and also, that such of the estate of Colonel Ebenezer Stevens as lays in East Kingstown, and was formerly polled into Kingstown be and hereby is declared to belong to Kingston during the natural life of said Sanborn and Stevens and no longer—

[CHAPTER 2.]

State of }
New Hampshire. }

AN ACT FOR ALTERING THE TIME OF HOLDING THE ANNUAL TOWN MEETING IN THE TOWN OF OSSIPEE.

[Approved June 16, 1798. Original Acts, vol. 16, p. 2; recorded Acts, vol. 11, p. 97.]

Whereas the Town of Ossipee in the County of Strafford and State aforesaid, at a Meeting of the Inhabitants of said Town held on the twenty eighth day of August seventeen hundred and ninety seven passed a vote empowering their Selectmen to petition the General Court to pass an Act to alter the time of holding their annual Town Meeting from the third Monday in March to the first Monday in March;—Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened, that, from and after the passing of this Act, the time of holding the annual Town Meeting in said Ossipee shall be on the first Monday in March; any law, usage or custom to the contrary notwithstanding.

[CHAPTER 3.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE ORFORD SOCIAL LIBRARY.

[Approved June 16, 1798. Original Acts, vol. 16, p. 3; recorded Acts, vol. 11, p. 115.]

Be it enacted by the Senate and House of Representatives in General Court convened that Samuel Morey, John Mann Jun^r, Daniel Tillotson Jun^r and Bethuel Cross and their Associates and

Successors proprietors of said Library, and all such as may hereafter become proprietors of the same, be, and they hereby are incorporated into a body politic forever by the name of the Proprietors of the Orford social Library, with all the privileges and powers incidental to Corporations, and may enjoin penalties of disfranchisement or fine, not exceeding the amount of their share in said Library for each offence, and make purchase, and receive subscriptions, grants and donations of real or personal Estate, not exceeding one thousand dollars, for the purpose of their association.

And be it further enacted, that the said Society be, and they hereby are authorised to assemble at Orford aforesaid, on the first Monday of January annually, or on any other day said Proprietors shall appoint, to choose all such Officers as may be found necessary for the orderly conducting of the affairs of said Corporation, who shall continue until others are chosen in their room: And that the said Corporation may assemble as often as they agree for filling up vancancies which may happen in said Offices, and for transacting all other business excepting assessing and raising monies, which shall be done, always, at some annual Meeting, and at no other time; at which meeting they shall vote all necessary sums for defraying the annual expences of preserving said Library, and for enlarging the same, and that said Corporation have power to sue and be sued and defend by the name of the Proprietors of Orford social Library; and that John Mann Jun^r is hereby impowered and authorised to call the first meeting of said Proprietors at such time and place as he may appoint, by giving public notice of said meeting in the Eagle or Dartmouth Centinel, or by posting up a notification in two of the most public places in Orford and one in Fairlee, at which meeting they may enact such Bye-laws and Regulations, and choose all such Officers, as they may or can do at their said annual Meeting, with power and liberty to make such additions, amendments and alterations to their said Bye-laws as shall from time to time be most for the interest of said Society: Provided always that such Bye-laws and additions, amendments and alterations be not repugnant to the laws or Constitution of the State.

[CHAPTER 4.]

State of }
New Hampshire. }

AN ACT SUSPENDING IN CERTAIN CASES THE OPERATION OF AN ACT ENTITLED "AN ACT FOR THE LIMITATION OF ACTIONS AND FOR PREVENTING OF VEXATIOUS SUITS," PASSED THE SIXTEENTH DAY OF JUNE ONE THOUSAND, SEVEN HUNDRED AND NINETY ONE.

[Approved June 18, 1798. Original Acts, vol. 16, p. 4; recorded Acts, vol. 11, p. 86. Laws, 1805 ed., p. 138; id., 1815 ed., p. 168. The act referred to is printed in Laws of New Hampshire, vol. 5, p. 769.]

Be it enacted by the Senate and House of Representatives in General Court convened, that the several periods specified in said Act shall be computed from the fifteenth day of September one thousand, seven hundred and ninety three, instead of from the first day of July one thousand, seven hundred and ninety one as expressed in said Act.

Provided nevertheless, that this Act shall not be construed to effect any Judgment or Decision of any Court heretofore rendered by virtue of said Act.

[CHAPTER 5.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT INTITLED AN ACT FOR ARANGING THE MILITIA OF THIS STATE INTO DEVISIONS PASSED DECEMBER 27TH 1792—

[Approved June 18, 1798. Original Acts, vol. 16, p. 5; recorded Acts, vol. 11, p. 91. Laws, 1805 ed., p. 247. The act referred to is printed in Laws, 1797 ed., p. 411.]

Be it Enacted by the Senate and House of Representatives in General Court Convened—

That the Companies in the Towns of Concord & Lyman be anexed to the Second Battallion in the Thirteenth Regiment. And the Companies in the Towns of Lancaster Littleton & Dalton Franconia & State Hill and Jefferson Shall form the first Battallion and the Companies in the Towns of Northumberland, Piercy, Stratford, and in all the Towns North & above Stratford in the County of Grafton Shall form the second Battallion which shall Constitute the Twenty fourth Regiment—

And be it further Enacted that, that Part of the Laws heretofore making differant arrangements of the Companies in the Towns and Plases mentioned in this act be and hereby are Repealed—

[CHAPTER 6.]

State of }
New Hampshire. }

AN ACT AUTHORIZING THE HON^{BLE} JOHN LOWELL TO CONVEY CERTAIN LANDS—

[Approved June 19, 1798. Original Acts, vol. 16, p. 6; recorded Acts, vol. 11, p. 93.]

Whereas Ann Stewart now residing in London in the Kingdom of Great Britain hath petitioned the General Court setting forth that her late husband Duncan Stewart Esquire deceased was the purchaser of the following tracts of lands lying at the south easterly corner of Grafton in the County of Grafton in the State of New Hampshire being part of a tract surveyed by Jesse Johnson Jun^r on the 27th of November 1790 which said lots are numbered as follows viz Number one— three— six— seven— nine— ten— eleven— fourteen— fifteen— sixteen— seventeen— eighteen— nineteen and twenty containing one hundred acres each—excepting number nineteen which contains fifty one acres only and number twenty—which contains forty nine acres only— which lots of land the said Duncan Stewart purchased of John Hurd Esquire but for his accomodation the deed was taken from the said Hurd to the Hon^{ble} Thomas Russell Esq^r late of Boston in the County of Suffolk Esq^r deceased and William Wetmore of said Boston Esquire being in the State of Massachusetts— for the use of the said Duncan Stewart and is dated february 14th 1791— and afterwards the said Wetmore released his right in said lands to the said Russell— that notwithstanding said lots of land were in fact conveyed in trust as aforesaid for the use of the said Duncan Stewart— yet there was no deed or other instrument executed on the part of Said Russell which will authorize his administrators to convey the same to the legal representatives of the said Stewart— and some of said Russell's heirs being under age renders it impracticable by law to effect such conveyance with their consent And praying that the Honorable John Lowell acting administrator upon said Russell's estate be empowered to convey said Lands in fee simple to the legal Representatives of the said Duncan Stewart or to such person or persons for their benefit as his executors may direct — And the heirs of the said Thomas Russell and the said John Lowell the administrator upon said Russells estate having in writing signified to this Court their assent to the truth of the facts set forth in said petition and consent to the prayer thereof being granted— which prayer appearing to be reasonable and Just— Therefore—

Be it enacted by the Senate and House of Representatives in

General Court convened that the said John Lowell be and hereby is authorized and fully empowered to convey said lands in fee simple to the Heirs or legal Representatives of the said Duncan Stewart or to such person or persons as the Executors of the said Duncan Stewart may appoint for the benefit of said Heirs or legal Representatives— And the said Heirs or legal Representatives, or such other person or persons to whom the same may be conveyed as aforesaid shall be and hereby are empowered to hold the same in fee simple—

[CHAPTER 7.]

State of }
New Hampshire. }

AN ACT TO POSTPONE THE OPERATION OF AN ACT INTITLED AN ACT, TO REGULATE SCALE BEAMS, STEELYARDS WEIGHTS & MEASURES PASSED THE TWELFTH DAY OF DECEMBER 1797—

[Approved June 20, 1798. Original Acts, vol. 16, p. 7; recorded Acts, vol. 11, p. 81. The act referred to is printed in Laws, 1805 ed., p. 375.]

Be it enacted, by the Senate & House of Representatives, in general Court convened, That the operation of the aforementioned Act, and every Matter & Clause therein, be postponed untill the End of the next Session of the General Court and no longer—

[CHAPTER 8.]

State of }
New Hampshire. }

AN ACT TO REPEAL AN ACT ENTITLED AN ACT FOR THE PRESERVATION OF SALMON IN AMMONUSUCK RIVER PASSED JUNE TWENTY-SECOND SEVENTEEN HUNDRED AND EIGHTY-SIX

[Approved June 20, 1798. Original Acts, vol. 16, p. 8; recorded Acts, vol. 11, p. 82. For the act referred to see Laws of New Hampshire, vol. 5, p. 164.]

Be it Enacted by the Senate and house of Representatives in General Court convened that the above Recited act for the preservation of Salmon in Ammonusuck River be, and it hereby is Repealed

[CHAPTER 9.]

State of }
New Hampshire. }

AN ACT ALLOWING THE BELLOWS FALLS COMPANY TO TAKE HIGHER RATES OF TOLL, THAN HERETOFOR ALLOWED IN A CERTAIN ACT PASSED IN THE YEAR OF OUR LORD ONE THOUSAND SEVEN HUNDRED AND NINETY TWO, ENTITLED "AN ACT SECURING TO WILLIAM PAGE AND LEWIS R MORRIS AND THEIR ASSOCIATES THEIR HEIRS AND ASSIGNS FOREVER THE EXCLUSIVE RIGHT OF LOCKING BELLOWS FALLS ON CONNECTICUTT RIVER," FOR A LIMITED TIME HEREINAFTER MENTIONED—

[Approved June 20, 1798. Original Acts, vol. 16, p. 9; recorded Acts, vol. 11, p. 83. The act referred to is dated December 18, 1792, id., vol. 8, p. 92.]

Whereas the said William Page, hath in behalf of said Company petitioned this Court, setting forth that the rates of toll allowed in and by said Act, are inadequate considering the expense of locking said Falls and praying for Liberty to take higher rates of toll, than is therein mentioned, which appearing reasonable—Therefore,

Be it enacted by the Senate and House of Representatives in general Court convened, that the said Company may be allowed, for the Term of five Years from the passing of this act, to take for conveying loaded boats through said locks and canals, fifty Cents per Ton, and twenty five Cents per Ton for all empty boats, according to the Tons said boats will carry, and the sum of fifty Cents for every Ton of Lumber conveyed through as aforesaid, any thing in the forementioned act to the contrary notwithstanding—Provided the said Company shall in no wise obstruct or hinder the carting of lumber and other loading by said falls as has been heretofore practised—

[CHAPTER 10.]

State of }
New Hampshire. }

AN ACT TO GIVE A NEW TRIAL TO JOSIAH SANBORN IN A CERTAIN ACTION COMMENCED AGAINST HIM BY SAMUEL HOLLAND WHICH HATH BEEN TRIED AND JUDGMENT ENTERED THEREON BY ACTION OF REVIEW SOMETIME SINCE HELD IN THE COUNTY OF GRAFTON WITHIN THIS STATE

[Approved June 20, 1798. Original Acts, vol. 16, p. 10; recorded Acts, vol. 11, p. 87. See act of same title passed December 19, 1797, id., p. 59.]

Whereas by an act or Law of this State made and passed on the Thirteenth day of December A.D. 1797, a new trial was granted to

Josiah Sanborn in an action brought against him by Samuel Holland whereby said Sanborn was authorised and empowered to reenter the Same at the Superior Court of Judicature holden at Plymouth within and for the County of Grafton on the first Tuesday of June A.D. 1798, and to prosecute the same in as ample a manner in all respects as if there had been no former trial or determination thereof in Said Court. And whereas said Sanborn by reason of his writ of review not having been indorsed Lost the benefit of said act he hath petitioned this Legislature to Grant him the liberty and Indulgence of Entering said action at Some future Court and the prayer thereof appearing reasonable

Wherefore

Be it enacted by the Senate and house of Representatives in General Court convened that said Josiah Sanborn have liberty to reenter said action at the next Superiour Court of Judicature to be holden at Haver Hill within and for the County of Grafton on the first Tuesday of November next and to prosecute the Same in as ample a manner in all respects as if there had been no former trial or determination thereof in said Court. And the Justices of Said Superior Court of Judicature are hereby authorised to sustain the same accordingly and are fully empowered to render Judgement therein and award Execution thereon the former Judgment notwithstanding

And be it further enacted that the said Josiah Sanborn Shall cause the said Samuel Holland his agent or attorney to be Served with an attested copy of this act, thirty days at Least before the Sitting of the next Superiour Court within and for the County of Grafton wherein this action is to be entered

[CHAPTER 11.]

State of {
New Hampshire. }

AN ACT FOR RAISING A TAX ON THE LANDS AND FOR MAKING A ROAD THROUGH THE TOWN OF LINCOLN

[Approved June 20, 1798. Original Acts, vol. 16, p. 11; recorded Acts, vol. 11, p. 99.]

Whereas sundry inhabitants of the Towns of Campton, Thornton and Peeling have petitioned the General Court representing that a Road has been laid out by a Committee appointed by the Court of General Sessions of the Peace in the County of Grafton leading from said Campton through said Thornton and Peeling into and through Lincoln in said County and from thence to the Road leading from Haverhill to the Upper Coos which Road has not been made passable by reason of the said Court of Sessions not having authority to

assess a tax upon certain lands, through which said Road is laid, and praying for a tax to be laid on said Town of Lincoln to be assessed, collected and laid out in clearing and making passable said Road, which prayer appearing reasonable—Therefore

Be it enacted by the Senate and House of Representatives in General Court convened, that unless the Proprietors of said Township of Lincoln within twelve months from and after the passing of this Act shall cut, clear and make passable the Road aforesaid and within thirteen Months from this time shall produce a certificate from a majority of the Justices of the Court of Common Pleas for said County of Grafton and the same Certificate within thirteen Months deliver to John Mooney, Peter Carlton and Nathan Kinsman Esquires, who are hereby appointed a Committee and impowered and directed to levy and assess a tax of three Cents per Acre upon all the lands in said Town of Lincoln, public Rights excepted, for the sole purpose of clearing and making passable such parts of said Road as is within the limits of said Town of Lincoln, to be assessed in one List.

And be it further enacted, that the said Committee be and they hereby are authorised and impowered to appoint a suitable Person as a Collector for the purpose of collecting said Tax. And said Committee shall asses said tax, and make a warrant for collecting the same directed to said Collector—And he shall levy and collect said tax with incidental Charges from the lands of any delinquent Owner or Owners by selling such part or parts thereof at public auction as shall be sufficient to discharge the same after having given six weeks successive notice of the assessment and of the time and place of such intended sale in the New Hampshire Gazette and in some one News Paper to be printed in said County of Grafton and by posting up a like notification and for the same term of time in some public place in said Town of Lincoln— And said Collector is hereby authorised and impowered upon the sale of said Lands or any part thereof to execute good and valid conveyances of such Lands so sold to the Purchasers reserving to the Proprietors or owners thereof the right of redemption as Nonresident Proprietors by Law now have.

And be it further enacted, that the Monies raised by Virtue of this Act shall be wholly appropriated to the purpose of making and clearing the said Road in said Town of Lincoln and that for the performance thereof the committee aforesaid shall give Bond to the Clerk of the Court of Common Pleas of said County of Grafton in the penal Sum of one thousand Dollars that they will well and truly appropriate and apply the Monies raised pursuant to this Act to the sole purpose of cutting clearing and making passable the Road aforesaid, and defraying the expences thereof and that they will within three Years from this time render a just and true account of their doings, the Monies by them received, and of their expenditures to

the Justices of said Court of common Pleas, and the Justices of said Court on receiving said account are hereby directed to set a Time and place for settling the same, of which Time and place they shall give two Months notice by publishing the same three weeks successively in the News Paper in which advertisements for the Taxes on nonresidents Lands shall at that Time by law be directed to be published in, and in some news Paper printed in said County of Grafton, and the said Justices are hereby authorised to adjust and settle said accounts with said Committee—

And be it further enacted that the Collector to be appointed by said Committee, shall before he proceeds to act give Bonds to said Committee and be sworn faithfully to discharge the duties incumbent on him by virtue of this Act—

And be it further enacted that the Committee aforesaid shall as soon as may be cause this Act to be published three weeks successively in the new Hampshire Gazette and in some news Paper published in said County of Grafton

Provided nevertheless, and be it further enacted that the Proprietors aforesaid if they shall cut clear and make passable said Road and procure a Certificate as aforesaid shall pay to said Committee so publishing this Act the sums by them paid to the respective Printers together with other necessary expences in publishing the same

[CHAPTER 12.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE SOCIAL LIBRARY COMPANY IN RICHMOND—

[Approved June 20, 1798. Original Acts, vol. 16, p. 12; recorded Acts, vol. 11, p. 105.]

Be it Enacted by the Senate and house of Representatives in General Court convened, that Jedediah Buffum, Moses Tyler and Nathan Ballou and their associates proprietors of said Library and all such as may hereafter become proprietors of the same be, and they hereby are incorporated into a body Politick by the name of the Proprietors of the Social Library in Richmond with all the privileges and powers incident to corporations of a similar nature and may enjoin penalties of disfranchisement or fine not exceeding three Dollars for each Offence, and make, purchase and Receive subscriptions, grants and donations of personal Estate not exceeding the sum of one Thousand Dollars exclusive of the books contained in said Library for the purpose of their Association

And Be it further Enacted that the said Society be, and they

hereby are authorised to assemble at Richmond aforesaid on the first monday of September annually, or on any other day said proprietors shall appoint to choose all such Officers as may be found necessary for the orderly conducting the affairs of said corporation, who shall continue in Office untill others are chosen in their place, and that the said Corporation may assemble as often as they agree for filling up any vacancies, which may happen in said Offices, and for transacting all other business excepting the Raising of monies, which shall be done always at their annual meeting on the said first monday of September and at no other time at which annual meeting they shall vote all necessary sums for defraying the annual expences of said Library, and for enlarging the same—

And Be it further Enacted that Rufus Whipple or Moses Tyler are hereby authorised and impowered, to call the first meeting of said proprietors at such time and place as they may appoint by posting up a notification of the same at each of the public meeting houses in said Richmond at least fourteen days before the time prefixed for holding said meeting. And the said Proprietors at said meeting shall have all the powers to Enact by laws and Choose all such Officers as they may or can do at their said Annual meeting

[CHAPTER 13.]

State of }
New Hampshire. }

AN ACT TO IMPOWER THE REPRESENTATIVES CHOSEN TO REPRESENT THE SEVERAL TOWNS AND DESTRICTS IN THE COUNTY OF GRAFTON IN GENERAL COURT THE PRESENT YEAR TO GRANT A TAX FOR SAID COUNTY—

[Approved June 20, 1798. Original Acts, vol. 16, p. 13; recorded Acts, vol. 11, p. 109.]

Whereas the Representatives of the county of Grafton aforesaid have petitioned this court setting forth that they have received a letter from the treasurer of said county informing them that a county tax is necessary to be granted by them in convention at the present session of the General court— and assessed by the treasurer on the several towns locations and unincorporated places in said county the present year, to meet the demands against said treasurer and to defray the common expences of said county—And whereas said treasurer hath not in the common course of law or otherwise laid a statement of the treasury before said Representatives so as to enable them to Judge of the expediency of granting a tax— therefore—

Be it enacted by the Senate and house of Representatives in General court convened, that the Representatives aforesaid are hereby

authorised and impowered to meet in convention in the town of Haverhill in said county on wednesday the fourth Day of July next for the sole purpose of granting and appropriating taxes, if they think necessary and they may at such convention choose a chairman and appoint and swear some person as a clerk, who shall keep a true record of all matters and things done at said convention, and may also adjourn from day to day till the business be compleeted, and the taxes which shall be voted by such convention or a major part thereof attending shall be held good and valid in law, and may be assessed and collected by the county treasurer in the same way and manner as taxes which have been heretofore granted by conventions of the members of the several counties, when met in convention in the common course of law, and the collectors of the several towns, and places in said county, are hereby empowered and directed to proceed in the same way and manner in the collection of the taxes arising by virtue of this act, and committed to them to collect as they are by law directed to do, in the collection of State and county taxes (except delivering a copy of the list of nonresident taxes to the deputy secretary on or before the eighth day of the next session of the General court after the assessment thereof) which copy shall be delivered to said deputy secretary on or before the eight day of the session of the General court holden in June One thousand seven hundred and ninety nine—

And be it further enacted that the treasurer of said County shall lay a particular statement of the treasury before said convention not only of the money in the treasury but also of all the demands against said treasurer, which hath come to his knowledge who shall be compensated therefor out of the treasury such reasonable sum as the Justices of the court of common pleas shall allow—

And Be it further enacted that said convention when met as aforesaid are hereby empowered to make any order that they shall think expedient as to the time when said tax or any part thereof shall be paid into the treasury— and also directing the treasurer when to issue his extents against delinquent collectors, who shall take notice and govern himself accordingly

And be it further enacted that each member shall be allowed five cents per mile for travel to and from said convention and one dollar per day for attendance, to be paid out of the treasury of said county and said treasurer is hereby directed to pay said sums for the travil and attendance aforesaid at any time when he shall receive the proper rolls from the clerk of said convention for that purpose— who is hereby empowered and directed to make out and certify said rolls in due form—

And be it further enacted that the treasurer of said county shall be served with a copy of this Act seven days at least prior to said fourth day of July by some one of the Representatives of said county which shall be considered sufficient notice for his attendance—

[ORDERS, RESOLVES AND VOTES OF A LEGISLATIVE NATURE PASSED DURING THIS SESSION.]

1798, June 14.

The Committee on the Petition of the Inhabitants of Sullivan praying for the liberty of Sending a Representative to the General Court reported that the prayer thereof be granted, which report being read and considered voted that it be received and accepted and that they have leave to send a Representative accordingly

[House Journal, 1794-99, p. 594. Senate Journal, 1797-1800, p. 151.]

1798, June 19.

Resolved that his Excellency the Governor be requested to obtain information from the Secretary at War what measures the Government of the United states propose to take respecting the fortifying the Harbour at Portsmouth in this State and if it shall appear to him that further measures shall be necessary for the Security of said Harbour that he be and he hereby is authorized to expend a Sum not exceeding four thousand Dollars for fortifying said harbour and that he take order on the Treasury for said Sum—

[House Journal, 1794-99, p. 613. Senate Journal, 1797-1800, p. 170.]

[*Second Session, Held at Concord, November 21, 22, 23, 24, 26, 27, 28, 29, 30; December 1, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 1798.*]

[CHAPTER 1.]

State of)
New Hampshire. }

[AN ACT AUTHORIZING CERTAIN TOWNS TO CHOOSE REPRESENTATIVES.]

[Approved November 28, 1798. Original Acts, vol. 16, p. 14; recorded Acts, vol. 11, p. 142.]

Whereas sundry Towns and Districts are not represented in the General Court of this State by reason of the disqualification of their Members by their accepting Offices, under the General Government, for remedy whereof—

Be it enacted by the Senate and House of Representatives in General Court convened, that the Selectmen of the several Towns and Districts in this State not represented by the reasons aforesaid, be hereby impowered to call meetings, by giving three days notice to the Inhabitants of such Towns and Districts of the business to be

done at said meetings and of the times and places of holding the same, said meetings to be holden in the same places where their meetings were last holden for the choice of Representatives.

[CHAPTER 2.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE SOCIAL LIBRARY IN ALSTEAD

[Approved November 30, 1798. Original Acts, vol. 16, p. 15; recorded Acts, vol. 11, p. 287.]

Be it Enacted by the Senate and house of Representatives in General Court conveyed that Amos Shepard, Isaac Temple, Absalom Kingsbury, Oliver Shepard, Jeremiah Higbee, Daniel Peren, John C. Chamberlain Nathaniel Shepard and Moses Hale and their associates proprietors of said Library, and all such as may hereafter become proprietors of the Same, be, and they hereby are Incorporated into a body Politick by the name of the proprietors of the Social Library in Alstead with continuation, and Succession forever and in that name may sue, and be sued in all actions personal, and may prosecute and defend the Same to final Judgment and Execution, and they are hereby vested with all the powers, and privileges incident to corporations of a Similar nature, and may enjoin penalties of disfranchisement, or fine not exceeding four dollars for each offence to be Recovered by said Society in an action of debt to their use in any Court proper to try the Same, And may make, purchase, and Receive Subscriptions, and donations or grants of personal Estate Not exceeding one Thousand Dollars for the purpose and use of their Association—

And be it further Enacted that said Society be and they hereby are authorised to assemble at Alstead aforesaid on the first monday of March annually to Choose all such Officers as may be found necessary for the orderly conducting the affairs of said Corporation, who shall continue in Office untill others are chosen in their Room— And that said corporation may assemble as often as may be found necessary for filling up any vacancies which may happen in said Offices, and for transacting all other business excepting the Raising of money which shall be always done at their Annual meeting and at no other time at which time they shall vote all necessary sums for defraying the annual expence of preserving said Library— and for enlarging the same— And said Corporation shall have power to make such Rules and bylaws for the government of said Society as may from time to time be found necessary, provided the same be not Repugnant to the Constitution, and Laws of this State—

And be it further Enacted that John C. Chamberlain Esq^r is hereby authorised, and impowered to call the first meeting of said proprietors at such time and place as he may appoint by posting a Notification for that purpose at the first parish meeting house, and at the other house used for publick worship in the west part of the Town in said Alstead at least fifteen days prior to said meeting and the said proprietors at said meeting shall have the same power to Choose Officers, and make bylaws as they have by this act at their annual Meeting

[CHAPTER 3.]

State of }
New Hampshire. }

AN ACT TO RESTORE NATHANIEL HUBBARD DODGE TO HIS LAW—

[Approved November 30, 1798. Original Acts, vol. 16, p. 16; recorded Acts, vol. 11, p. 292. See additional act of December 26, 1799, id., vol. 12, p. 138.]

Whereas, Nathaniel Hubbard Dodge has preferred a Petition to the General Court Setting forth, among other Things, That he was duly appointed by the honorable Samuel Tenny Judge of the Probate of Wills &c. for the County of Rockingham, a Guardian to Polly Banks, a Minor, who is Heir to Sally Banks, deceased, To settle the Administration and Guardianship Accounts of Nathaniel Healey, who was cited before the said Judge for that Purpose, on the eighteenth day of april 1796, That after Hearing & Decrees on The several Accounts, by the said Judge, The said Nathaniel as Guardian aforesaid, was justly dissatisfied with said Decrees and demanded Appeals Therefrom, which were granted in due Form of Law, which said appeals by The Mistake of the Clerk or otherwise, were not legally entered, at the superiour Court appealed to, whereby the said Nathaniel The appellant, lost all Benefit of said Appeals; and Praying This honorable Court Leave to enter each of said appeals from the Decrees aforesaid, at the superiour Court of Judicature in The said County of Rockingham, & to impower the said Court to sustain & hear said appeals, in the same Manner, as though they had been regularly entered at the Court appealed to, The Prayer of which said Petition appearing Reasonable, Therefore

Be it enacted by the Senate & House of Representatives, in general Court convened, That the said Nathaniel Hubbard Dodge, in his Capacity of Guardian aforesaid, may, & shall have Liberty to enter his said Appeals from the Decrees of the said Judge of Probate, at the Superiour Court of Judicature to be holden at Portsmouth in and for the County of Rockingham on the first Tuesday

of February next, and That the Justices of said Court shall have Power to sustain said Appeals, and are hereby authorised to hear the same, & to determine thereon in the same Manner, as though said Appeals had been regularly entered at the Court appealed to, any Law, Usage or Custom, to the contrary notwithstanding—

[CHAPTER 4.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THAT PART OF THE TOWN OF ROCHESTER IN THE COUNTY OF STRAFFORD, COMMONLY CALLED THE NORTH WEST PARISH, INTO A SEPARATE TOWN BY THE NAME OF FARMINGTON.

[Approved December 1, 1798. Original Acts, vol. 16, p. 17; recorded Acts, vol. 11, p. 248.]

Whereas a petition has been preferred to the General Court by the Inhabitants of that part of the Town of Rochester in the County of Strafford, commonly called the Northwest Parish, setting forth that sometime prior to the Year one thousand seven hundred and Ninety four, the town of Rochester at a legal Meeting, warned for that purpose— Voted unanimously that said town should be divided into three towns, & a Committee was then chosen to run out & describe the Lines of the same; That said committee accordingly made division of said Town of Rochester into three parts; That afterwards, in the year one thousand Seven hundred & Ninety four, the said Town of Rochester appointed another Committee, who were not Inhabitants of said town, to examine the lines aforesaid, & make such alterations therein, as they should Judge proper; That said Committee on the Twenty eighth day of August in the same Year made their Report to said town of Rochester, that the former lines & boundaries of the proposed Towns be established; which report was at a legal meeting of said Town unanimously accepted;— That the said town of Rochester in its present form was so large, & the Inhabitants so numerous as rendered it very inconvenient for them to transact business at their town-meetings—Wherefore they prayed, that *that* part of the Town of Rochester commonly called the Northwest parish, within the lines herein after described, might be incorporated into a separate town; The principal facts set forth in said petition being substantiated, & the prayer thereof appearing reasonable.—Therefore,—Be it Enacted by the Senate & House of Representatives in General Court convened that the Lands & Inhabitants contained within the Northwesterly part of said Rochester as described within the following lines & boundaries, to wit, Beginning at

a stake standing upon Barrington line twenty two rods Northwest-erly from the out-let of Pickerel Pond (so called), thence runing upon a straight line across lot Numbered forty nine in the second division till it strikes the range line between lots numbered thirty six & thirty seven in said second division, thence runing upon said range line about North Easterly till it strikes the South East corner of lot Numbered fifty one in the said second division, thence turning at right angles with said range line & runing from said corner about North West upon the westerly side of the four-rod-range-road to the head line of the said second division, thence upon the range line which divides lots numbered four & six, three & five, and ninety eight & ninety nine in the third division to Middleton line, thence upon said Middleton line—about Southwesterly till it strikes the Northeasterly corner of Barrington, thence upon the division line of said Barrington & the said town of Rochester to the Bound first mentioned Be, and they Hereby are incorporated into a separate town by the name of Farmington; And the said town of Farmington is Hereby invested with all the powers privileges and immunities to which other towns in this State are, or may be entitled, agreeable to the Constitution & Laws of this State, to have continuance and succession forever—

And Be it further Enacted that the Inhabitants of said town of Farmington shall pay all arrears of taxes which have been assessed on them by the said Town of Rochester, and shall pay their proportionable part of all the Debts due from said town of Rochester, & shall be entitled to receive their proportionable part of all monies and debts now due to the said town of Rochester, and also their proportionable part of all other property of the said town of Rochester of every kind or description whatever—

And Be it further Enacted that Aaron Wingate Esquire Be, & Hereby is authorized & empowered to warn a meeting of the Inhabitants of said Farmington by posting up advertisements in said town fourteen days previous to said meeting; And the said Aaron Wingate Esquire shall preside in said meeting till a moderator shall be chosen for that purpose; And the annual meeting in said town of Farmington shall be holden on the second monday of March annually.

[CHAPTER 5.]

State of }
New Hampshire. }

AN ACT TO MAKE PERPETUAL "AN ACT MAKING FURTHER PROVISION
 FOR THE ADMINISTRATION OF JUSTICE— PASSED FEBRUARY 12TH,
 1794.

[Approved December 4, 1798. Original Acts, vol. 16, p. 18; recorded Acts, vol. 11, p. 175. Laws, 1815 ed., p. 506. For the act referred to see Laws, 1797 ed., p. 75. Repealed December 11, 1804, id., 1815 ed., p. 506.]

Whereas in and by said Act it is provided that the same be in force for the term of five years from the passing thereof and no longer. Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened that said Act and every Clause thereof be and continue to be in force in the same way and manner, as if no limitation, in and by said Act, had been made.

[CHAPTER 6.]

State of }
New Hampshire. }

AN ACT TO ALTER THE NAME OF THE TOWN OF RABY.

[Approved December 4, 1798. Original Acts, vol. 16, p. 19; recorded Acts, vol. 11, p. 187.]

Whereas Randel M^cDonald, Benjamin Farley, and James McIntosh Selectmen of Raby in the County of Hillsborough and State aforesaid have petitioned the General Court representing that the Inhabitants of said Town in Town-meeting manifested their desire that the name of said Town should be altered, and prayed that said Town be incorporated by the name of Brookline, which appearing reasonable;

Be it enacted by the Senate and House of Representatives in General Court convened, that all that tract of land and waters contained in the Charters of said Raby with the Inhabitants who now do and hereafter may reside thereon be and hereby are incorporated into a Town by the name of Brookline to have Continuance and Succession forever; and the Selectmen, Collectors and all other Town Officers to be appointed by the Inhabitants of Brookline are hereby impowered and it shall be their duty faithfully and impartially to discharge and perform all the duties incumbent on them in their respective Offices in as full and ample manner as they might or could have done by virtue of the Charters aforesaid.

Provided nevertheless that all Officers now in Office in said Raby shall have the same power and authority to transact all business relative to their respective Offices in as full and ample manner as though this Act had not been passed: Provided also that nothing in this Act shall be construed to affect any Action or suit which has been commenced against the said Town of Raby or the Inhabitants thereof.

[CHAPTER 7.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF
THE PROPRIETORS OF THE LYTCHFIELD AND MERRIMACK LIBRARY

[Approved December 4, 1798. Original Acts, vol. 16, p. 20; recorded Acts, vol. 11, p. 273.]

Be it enacted by the Senate and House of Representatives in General Court convened that Matthew Thornton William M^cQuesten and Clifton Clagett Esquires and their asosiates proprietors of said Library and all such as may hereafter become proprietors of the same be and they hereby are incorporated into a body Politick by the name of the proprietors of the Lytchfield and Merrimack Library with continuation and succession forever and in that name may sue and be sued in all actions personal, and may prosecute and defend the same to final judgment and execution, and they are hereby vested with all the powers and previlidges incident to corporations of a similar nature, and may enjoin penalties of disfranchisement or fine not exceeding Four dollars for each offence to be recovered by said society in an action of debt to their use in any Court proper to try the same, and they may make purchase and receive subscriptions grants and donations of personal estate not exceeding one Thousand dollars for the purpose and use of their assosiation

And be it further enacted that said society be and they hereby are authorised to assemble at Lytchfield aforesaid on the first Monday in January next and forever after on the fourth monday of September annually to choose all such officers as may be found necessary for the orderly conducting the affairs of said Corporation who shall continue in office until others are chosen in their room and that said corporation may assemble as often as may be found necessary for filling up any vacancies which may happen in said offices and for transacting all other business excepting the raising monies which shall at all times be done at their annual meeting and at no other time, at which time they shall vote all necessary sums for defraying the annual expenece for preserving said Library and

for encreasing the same. And said corporation shall have power to make such rules and by Laws for the government of said society as may from time to time by them be found necessary, provided the same be not repugnant to the Constitution & Laws of this State

And be it further enacted that Robert Parker or Samuel Chase junior or either of them are hereby authorised and empowered to call the first meeting of said proprietors at such time and place as they may appoint by giving personal notice of the time and place of holding said Meeting at least fifteen days prior to said meeting and the said proprietors at said meeting shall have the same power to choose officers and make by laws as they have by this act at their annual Meetings

[CHAPTER 8.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF, THE PROPRIETORS OF THE TYNGSBOROUGH AND DUNSTABLE LIBRARY—

[Approved December 4, 1798. Original Acts, vol. 16, p. 21; recorded Acts, vol. 11, p. 296.]

Be it enacted by the Senate and House of Representatives in General Court convened, That Benjamin French, Ebenezer Bancroft, Elijah Chamberlin, Daniel Lund, Benjamin Smith, John Smiley, Jonathan Bancroft, Nathaniel Holdin, John Farwell, Frederic French and such others, their associates, be, and they hereby are formed into, constituted & made a body politic & corporate, by the name of, The Proprietors of the Tyngsborough and Dunstable Library, and that they, their successors and such other persons as may be elected in the manner herein after mentioned, shall be and continue a body politic and corporate by the same name forever—

And be it further enacted, That the members of said society may from time to time, elect Trustees a Clerk, a Librarian, a Treasurer, and such other officers as they may deem necessary & expedient, and to determine the respective numbers and the duties of their several officers—

And be it further enacted, That the members of said society shall have full power and authority to make and enact such Rules and by laws for the Government thereof as may by them be found necessary; provided the same be not repugnant to the Constitution and laws of this State, and to annex reasonable fines and penalties to the breach of them, not exceeding the value of the delinquent's share in said Library to be recovered by said society in an action

of Debt to their use, in any Court within this State proper to try the same—

And be it further enacted, That the said society shall forever have the power, to establish the time and mode of convening themselves together & the number necessary to constitute such meeting, as also the place which to them may appear most convenient—

And be it further enacted, That the members of said society may from time to time admit such persons to become members thereof as they may judge proper; and shall have power to suspend, expel or disenfranchise any member thereof—

And be it further enacted, That the members of said society shall forever be deemed capable in law of taking & holding any Donation that may be made them, whether the same be in money, book or other personal Estate, not exceeding one thousand Dollars—

And be it further enacted, That the Members of said society may sue & be sued in all actions personal and prosecute and defend the same to final Judgment & Execution by the name of, The Proprietors of the Tyngsborough & Dunstable Library—

And be it further enacted, That the members of said society shall have power, at such stated times as they may agree upon to raise all such sum or sums of money as they may think proper, for the purpose of preserving said Library and for enlarging the same—

And be it further enacted, That Ebenezer Bancroft Esquire and Frederic French or either of them are hereby authorised and empowered to call the first Meeting of said Proprietors at such time & place as they may appoint, by posting up notifications at some public place in Dunstable and Tyngsborough ten days prior to such meeting—

[CHAPTER 9.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF
THE PROPRIETORS OF THE SOCIAL LIBRARY IN LYNDEBOROUGH—

[Approved December 4, 1798. Original Acts, vol. 16, p. 22; recorded Acts, vol. 11, p. 307.]

Be it enacted by the Senate and House of representatives in General Court Convened that Sewall Goodridge Ephraim Putnam & Peter Clark and their associates propriators of Said Library and all such as may hereafter become propriators of the Same Be and they hereby are incorporated into a Body Politic by the name of the propriators of the Social Library in Lyndeborough with Continuation and Sucsesion forever. And in that name may Sue & be

Sued in all actions personal and may prosecute and defend the Same to final Judgment and execution and they are hereby vested with all the powers and privileges incident, to Corporation of a Similar nature, and may injoin penalties of Disfranchisement or fine not exceeding three Dollars for each offence, to be recovered by Said Society in an action of Debt to their use in any Court in Said State proper to try the same. and they may purchase and receive Subscriptions grants and donations of Personal Estates not exceeding the sum of One thousand Dollars for the benifit of their association. and be it further enacted that Said Society be and they hereby are authorised to assemble at Lyndeborough aforesaid on the first Monday of September annually to Chuse all such officers as may be found necessary for the orderly Conducting the affairs of Said Corporation who Shall Continue in office till others are chosen in their room And the Said Corporation may assemble as often as may be found necessary for the filling up any Vacances that may happen in Said offises and for transacting all other business for the good of Said Society excepting the raising of Money which Shall always be don at the anual Meeting and at no other time at which meeting they Shall vote all such sums as Shall be necessary for defraying the anual expence of preserving Said Library and for enlarging the same and Shall make and enect Such rules and by Laws for the government of Said Corporation as may from time to time by them be found necessary provided the same be not repugnant to the Constitution and Laws of this State—

And be it further enacted that Ephraim Putnam and Peter Clark or either of them are hereby authorised and empowered to Call the first Meeting of Said propriators at Such time and place in Said Lyndeborough as they may appoint by posting up a notification for the same at the publick Meeting House in said town at least ten Days before the time of Said meeting (and to preside in said meeting untill the Moderator is Chosen) and the said propriators at Said meeting Shall have all the power to enact Such by Laws and Chuse all such offisers as they may and can do at their anual meeting

[CHAPTER 10.]

State of }
New Hampshire. }

AN ACT ENABLING RANDOLPH FREEMAN TO ASSUME THE NAME OF
PEYTON IN ADDITION TO AND NEXT PRECEDING HIS CHRISTIAN
NAME RANDOLPH

[Approved December 6, 1798. Original Acts, vol. 16, p. 23; recorded Acts,
vol. 11, p. 151.]

Whereas the said Randolph Freeman hath Petitioned this Court representing that he was born about the time of the decease of His Excellency Peyton Randolph formerly President of Congress, in remembrance of whom he the said Petitioner was named; since which time there have been other distinguished persons of the name of Randolph: Wherefore he prays that he may be enabled to assume and use the name of Peyton in addition to, and next preceding his Christian name Randolph, so that he may ever hereafter be known in Law by the name of Peyton Randolph Freeman—

Be it therefore Enacted by the Senate and House of Representatives in General Court convened, That from and after the First day of January One thousand seven hundred and Ninety Nine, the said Randolph Freeman be, and he is hereby enabled and empowered to assume, take on himself and use the name of Peyton in addition to and next preceding his Christian name Randolph; and that by the Names and Sur-name of Peyton Randolph Freeman and by no other name after the said first day of January next, he be named and called—and by the said Names after the said First day of January next he is hereby fully empowered and enabled to act, transact and execute business—

And all matters and things that shall be done and executed by, for or against him after the said first day of January next by the Name of Peyton Randolph Freeman, shall be, and are hereby declared good and Valid, any law usage or custom to the contrary notwithstanding—

[CHAPTER 11.]

State of }
New Hampshire. }

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT FOR THE BETTER PRESERVATION AND ENCREASE OF DEER WITHIN THIS STATE— PASSED NOVEMBER THE TWENTY FIFTH ONE THOUSAND SEVEN HUNDRED & SEVENTY-EIGHT.—

[Approved December 7, 1798. Original Acts, vol. 16, p. 24; recorded Acts, vol. 11, p. 169. For the act referred to see Laws of New Hampshire, vol. 4, p. 183.]

Be it enacted by The Senate & house of Representatives in General court convened— that the before recited Act, and every clause thereof be and the same is hereby repealed.—

[CHAPTER 12.]

State of }
New Hampshire. }

AN ACT AUTHORISING NATHANIEL HALL AND JONATHAN CHASE JUN^r, TO DISPOSE OF A PART OF THE REAL ESTATE OF JONATHAN CHASE ESQUIRE

[Approved December 7, 1798. Original Acts, vol. 16, p. 25; recorded Acts, vol. 11, p. 179.]

Whereas the Judge of Probate for the County of Cheshire in the state of Newhampshire appointed the said Nathaniel Hall and the said Jonathan Chase Jun^r Guardains of the said Jonathan Chase Esq he having been represented to the s^d Judge in a State of Lunacy, And under such appointment the said Guardains apply'd to the superior Court of this State when Setting at Charlston in Said County last may for liberty to sell lands and obtained an order to notify and publish the same in a newspaper with which order the said Guardains comply'd, but as the said Court did not set in said County as by Law directed no further proceedings were had thereon, and the circumstances attending the said Estate are such that it will be very injurious to the Creditors to the said Estate to have the matter further prolong'd and the said Guardains haveing Petitioned this Court for Releif in the premises and the same appearing Reasonable

Be it Therefore Enacted by the Senate and house of Representatives in general Court conveind that the said Nathaniel Hall and the Said Jonathan Chase Jun^r being the Guardains appointed as aforesaid Be and are hereby fully authorised and impowered to

make sale of so much of their wards real Estate (excepting his homstead) lying in the said county of Cheshire as will be sufficient to discharge his Just debts together with incidental charges to the amount of four thousand dollars and execute good and Sufficient deed or deeds thereof to the purchaser or purchasers as will be Sufficient to vest them with the said wards title to the lands that shall be sold in consequence of this Act— and the said Guardains are hereby further authorised to make and execute deeds as aforesaid of the lands the Said ward has given bond to do According to the tenner and True meaning of such bonds or obligations by the Said Ward Syn'd and executed when in a Sound State of mind so as such persons may hold such lands according to the original design of such Bonds or obligations—

And be it further enacted by the authority aforesaid that the said guardains shall file a copie of this act with the Judge of Probate of said county and Also give bond to the said Judge in such sum and with Such Sureties as the said Judge shall require to account in the probate office of that county for all the monies they shall receive for the sales they shall make pursuant to this act—

[CHAPTER 13.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF “THE PROPRIETORS OF THE SOCIAL LIBRARY IN DUNBARTON”—

[Approved December 7, 1798. Original Acts, vol. 16, p. 26; recorded Acts, vol. 11, p. 195.]

Whereas a general diffusion of knowledge, in a land of Liberty, has a happy tendency to preserve freedom, and make better Men and better Citizens.

Be it therefore Enacted by the Senate & house of Representatives in General Court convened; That, Walter Harris, David Story, Symms Sawyer, John Mills & Asa Burnham and their associates, proprietors of said Library, and all such as may hereafter become proprietors of the same, be, and they hereby are incorporated into a body Politic, by the Name, of “The Proprietors of the Social Library in Dunbarton” With continuation and succession forever; and in that name may sue and be sued in all actions personal, and may prosecute and defend the same to final Judgement and Execution; and they are hereby vested with all the powers & privileges incident to Corporations of a similar nature, and may enjoin penalties of disfranchisement or fine not exceeding four Dollars for each Offence, to be recovered by said Society in an action of debt, in any Court proper for trying the same; and they may make pur-

chase and receive Subscriptions, Grants and Donations of personal Estate, not exceeding one thousand Dollars, for the purpose and Use of their Association.

And, Be it further Enacted, That said Society be and they hereby are authorised to assemble at Dunbarton aforesaid on the first Tuesday of April Annually, to choose all such Officers as may be found necessary for the orderly conducting the affairs of said Corporation: Who shall continue in Office till others shall be chosen in their room; and that said Corporation may assemble as often as may be necessary for filling up any vacancies, which may happen in Said Offices: and for transacting all other business, except the raising of Monies, which shall always be done at their Annual Meeting and at no other time, at which time they shall vote all necessary sums for defraying the annual expence of preserving said Library, and for enlarging the same. And said Corporation shall have power to make such Rules and By-Laws for the government of said Society as may from time to time, by them, be found necessary: Provided the same be not repugnant to the Constitution and Laws of this State.

And Be it further Enacted: that John Mills and Symms Sawyer, or Either of them are hereby authorised and empowered to call the first Meeting of said proprietors, at such time and place as they may appoint, by posting a Notification for that purpose at the Meeting-House in said Dunbarton, at least fifteen days prior to said Meeting; and the said proprietors, at said Meeting, shall have the same powers to choose Officers and make By-Laws, as they have by this Act at their Annual-Meeting.

[CHAPTER 14.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT FOR LAYING A TAX ON THE LANDS
IN DANBURY TO BE LAID OUT IN REPAIRING A ROAD IN SAID TOWN
PASSED JUNE THE SIXTEENTH ONE THOUSAND SEVEN HUNDRED
AND NINETY SIX—

[Approved December 7, 1798. Original Acts, vol. 16, p. 27; recorded Acts, vol. 11, p. 212. See act referred to, id., vol. 10, p. 17.]

Whereas the selectmen of Danbury have petitioned the general Court setting forth, that the said act is not sufficiently explicit and defined, that the collector is unable by law, to enforce the collection of said tax, and prayed that said collector may be further empowered according to law to proceed in the collection of said tax, which prayer appearing reasonable, the above recited act not specifying the year in which said tax should be laid out, nor the road to be thereby repaired particular designated for remedy whereof—

Be it enacted by the Senate and house of Representatives in general Court convened, that the owners or proprietors of land in said town or any person in their behalf, shall have liberty to work out their proportion of said tax at the rate affixed in said act, at any time between the first day of May and the first day of October one thousand seven hundred and ninety nine; and the selectmen of said Danbury shall give notice in the same way and manner as is provided in and by said act

And be it further enacted that the said tax shall be laid out on the road leading through the twelve mile woods (so called) in said Danbury and not elsewhere—

[CHAPTER 15.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF PEMBROKE LIBRARY—

[Approved December 7, 1798. Original Acts, vol. 16, p. 28; recorded Acts, vol. 11, p. 234.]

Be it Enacted by the Senate and house of Representatives in General Court Convened that Samuel W. Connell Thomas Adams, Daniel Knox Enoch Noyes Robert Buntin Nathaniel Head, and their Associates proprietors of Said Library and all Such as may hereafter become Proprietors of the Same be and they hereby are incorporated into a body politic by the name of the proprietors of the Pembroke Library with Continuation and Succession forever, and in that name may Sue and be Sued in all Actions personal and may Proscute and Defend the Same to final Judgment and Execution and they are hereby vested— with all the powers and privileges incident to corporations of a similar nature and may enjoin penalties of disfranchisement or fine not Exceeding three Dollars for Each offence to be Recovered by Said Society in an action of debt to their use in any Court proper to try the Same and they may make purchase and receive Subscriptions grants and Donations of personal Estate not exceeding one thousand Dollars for the purpose and use of their association—and be it further Enacted that Said Society be and they hereby are authorised to assemble at Pembroke aforesaid on the first monday of January annually to Choose all Such officers as may be found necessary for the orderly conducting the affairs of Said Corporation, who Shall continue in office untill others are chosen in their room and that said corporation may assemble as often as may be found necessary for filling up any vacancies which may happen in Said offices and for Transacting

all other business Excepting the raising of monies which Shall be allways done at their annual meeting and at no other time at which time they shall vote all necessary Sums for Defraying the Annual Expende of preserving Said Library and for increasing the same and Said corporation shall have power to make such rules and by-laws for the government of said society as may from time to time be found necessary provided the Same be not repugnant to the constitution and Laws of this state, and be it further Enacted that Thomas Adams and Joseph Swett J^r or Either of them are hereby Authourised and impowered to Call the first meeting of said proprietors at Such time and place as they may Appoint by posting a notification for that purpose at the meeting house in Said Pembroke at Least fifteen days prior to said Meeting and the Said proprietors at Said meeting Shall have the Same power to choose officers and make by Laws as they have by this act at their Annual meeting

[CHAPTER 16.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF
THE PROPRIETORS OF CONCORD LIBRARY—

[Approved December 7, 1798. Original Acts, vol. 16, p. 29; recorded Acts, vol. 11, p. 254.]

Be it enacted by the Senate and House of Representatives in General Court convened that Timothy Walker John Bradley and Jonathan Eastman—and their assotiates proprietors of said Library and all such as may here after become proprietors of the same be and they hereby are incorporated into a body politic by the name of the proprietors of the Concord Library with continuation and succession forever and in that name may sue and be sued in all actions personal and may prosecute and defend the same to final Judgment and Execution and they are hereby vested with all the powers and privilidges incident to Corporations of a Similar nature and may enjoin penalties of disfranchisement or fine not exceeding four Dollars for each offence to be recovered by said society in an action of debt to their Use in any Court proper to try the same and they may make purchase and receive subscriptions Grants and donations of personal estate not Exceeding one thousand Dollars for the purpose and use of their assosiation—And be it further enacted that said Society be and they hereby are authorised to assemble at Concord aforesaid on the third Monday of December anually to choose all such officers as may be found necessary for the orderly Conducting the affairs of said Corporation who Shall Continue in Office untill others shall be Chosen in their room and

that said Corporation may assemble as often as may be found necessary for filling up any vacancies which may happen in said offices and for Transacting all other buissness excepting the raising of monies which shall be always done at the annual meeting and at no other time, at which time they shall vote all necessary sums for defraying the annual expence of preserving said Library and for increasing the same and said Corporation shall have power to make such Rules and by laws for the Government of said Society as may from time to time by them be found Necessary provided the same be not repugnant to the Constitution and Laws of this State—

And be it further anacted that Timothy Walker and John Bradley or either of them are hereby authorised and empowered to Call the first meeting of said proprietors at such time and place as they may appoint by posting a notification for that purpose at the meeting house door in said Concord at least fifteen days prior to said meeting and the said proprietors at said meeting shall have the same power to Choose officers and make by laws as they have by this act at their Annual Meeting

[CHAPTER 17.]

State of }
New Hampshire. }

AN ACT, FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF
THE PROPRIETORS, OF THE SOCIAL LIBRARY, IN WEARE—

[Approved December 7, 1798. Original Acts, vol. 16, p. 30; recorded Acts, vol. 11, p. 277.]

Be it Enacted, by the Senate and House of Representatives in General Court Convened, that, Even Dow, Jonathan Philbrook Jun^r, Isaac Kelly, and their Associates, Proprietors of Said Library, and all such as may hereafter become Proprietors of the same, be, and they are hereby incorporated into a body Politic, by the Name of the Proprietors of the Social Library in Weare, with Continuation and Succession forever, and in that name may sue and be sued in all actions personal, and may Prosecute and Defend to final Judgement and Execution, and they are hereby vested with all the Privileges, and Powers, incident to Corporations of a Similar Nature, and may enjoin penalties of Defranchisement, or fine, not exceeding three Dollars for each offence, to be recovered by said Society in an action of Debt, to their use, in any Court in Said State proper to try the Same, and they may purchase and receive Subscriptions, Grants, & Donations of Personal estate, not exceeding the Sum of one thousand Dollars, for the benefit of their association—

And be it further Enacted, that said Society be and they are

hereby authorised to Assemble at Weare aforesaid, on the first Thursday of September Annually to Chuse all such Officers as may be found necessary for the orderly conducting the affairs of said Corporation, who shall continue in office untill others are Chosen in their room, And the said Corporation may assemble as often as may be found necessary for the filling up any vacancies that may happen in Said offices, and for transacting all other business for the good of Said Society excepting the raising of Money, which shall always be done at their annual Meeting, and at no other time, at which meeting they shall vote all such sums as shall be necessary for defraying the Annual expences of Preserving said Library, and for Enlarging the Same, and shall make and enact such rules and by-Laws for the Government of Said Corporation, as may from time to time by them be found necessary, Provided the Same be not repugnant to the Constitution and Laws of this State—

And be it Further Enacted, that Evan Dow and Isaac Kelly, or either of them, are hereby Authorised and empowered to call the first meeting of said Proprietors, at Such time and place in Said Weare as they may appoint, by posting up a Notification for the Same at the South Meeting House in Said Town, at least ten Days before the time of Said Meeting, and to preside in Said Meeting untill the Moderator is Chosen, and the Said Proprietors at said Meeting shall have all the power to Enact all such by-Laws, and Chuse all Such officers, as they may and can do at their Annual Meeting—

[CHAPTER 18.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF LONDONDERRY LIBRARY

[Approved December 7, 1798. Original Acts, vol. 16, p. 31; recorded Acts, vol. 11, p. 282.]

Be it enacted by the Senate and House of Representatives in General Court convened that John Bell, George Reid and John Pinkerton Esquires and their Associates Proprietors of said Library and all such as may hereafter become Proprietors of the same be and they hereby are incorporated into a Body politic by the name of the Proprietors of the Londonderry Library with Continuation and Succession forever and in that name may sue and be sued in all Actions personal and may prosecute and defend the same to final Judgment and Execution and they are hereby vested with all the powers and privileges incident to Corporations of a similar nature and may enjoin penalties of disfranchisement or fine not

exceeding four Dollars for each Offence to be recovered by said Society in an Action of Debt to their Use in any Court proper to try the same and they may make purchase and receive subscriptions, grants and donations of personal Estate not exceeding one thousand Dollars for the purpose and Use of their Association.

And be it further enacted that said Society be and they are authorised to assemble at Londonderry aforesaid on the second Monday in March annually to choose all such Officers as may be found necessary for the orderly conducting the affairs of said Corporation who shall continue in Office until others shall be chosen in their Room and that said Corporation may assemble as often as may be found necessary for filling up any Vacancies which may happen in said Offices and for transacting all other business, excepting the Raising of Monies which shall be always done at their annual Meeting and at no other time, at which time they shall vote all necessary sums for defreying the annual Expende of preserving said Library and for increasing the same and said Corporation shall have power to make such Rules and Bye laws for the Government of said Society as may from time to time by them be found necessary provided the same be not repugnant to the Constitution and laws of this State.

And be it further enacted that James Pinkerton and William Danforth or either of them are hereby authorised and impowered to call the first Meeting of said Proprietors at such time and place as they may appoint by posting a notification for that purpose at each Meeting house in said Londonderry at least fifteen days prior to said Meeting and the said Proprietors at said Meeting shall have the same power to choose Officers and make Bye-laws as they have by this Act at their annual Meeting.—

[CHAPTER 19.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE SOCIAL LIBRARY IN SALISBURY—

[Approved December 18, 1798. Original Acts, vol. 16, p. 32; recorded Acts, vol. 11, p. 208.]

Be it Enacted by the Senate and House of Representatives in General Court conveyed that Thomas Worster, Ebenezer Webster, Luke Wilder— Andrew Bowers, Reuben True, and John C. Gale and their associates proprietors of said Library, and all such as may hereafter Join with them or become proprietors of the same, be, and they hereby are incorporated into a body politick by the Name of the proprietors of the Social Library in Salisbury with

continuation and succession forever, and in that name may sue, and be sued in all actions personal and may prosecute and defend the same to final Judgment and Execution, and they are hereby vested with all the privileges and powers incident to corporations of a similar Nature, and may enjoin penalties of disfranchisement or fine not exceeding four dollars for each offence to be Recovered by said Society in an action of debt to their use in any Court proper to try the same; and they may make, purchase, and Receive subscriptions, grants, and donations of personal Estate not exceeding one Thousand dollars for the purpose and use of their Association—

And be it further enacted that said Society be, and they hereby are authorised to assemble at Salisbury aforesaid on the first Monday of March annually to choose all such Officers as may be found Necessary for the orderly conducting the affairs of said Society who shall continue in Office untill others are chosen in their Room; and that said corporation may assemble as often as may be found necessary for filling up any vacancy that may happen in said Offices, and for transacting any other business excepting the Raising of money which shall be always done at their annual meetings, and at no other time, at which time they shall vote all necessary sums for defraying the annual expence of preserving said Library, and for enlarging the same— And said Corporation shall have power to make such Rules and by laws for the government of said Society as may from time to time by them be found Necessary provided the same be not Repugnant to the Constitution and Laws of this state

And be it further Enacted that Ebenezer Webster Esq^r and Luke Wilder, or either of them are hereby authorised, and empowered to call the first meeting of said proprietors at such time and place as they may appoint by posting up a notification for that purpose at the South meeting house in said Salisbury at least fifteen days prior to said meeting, and the said proprietors at said meeting shall have the same power to choose Officers and make by-laws as they have by this act at their Annual meetings—

[CHAPTER 20.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE SOCIAL LIBRARY IN SALEM.

[Approved December 18, 1798. Original Acts, vol. 16, p. 33; recorded Acts, vol. 11, p. 243.]

Be it enacted by the Senate and House of Representatives in General Court convened that the Rev^d John Smith, Thomas Dow, David Allen, William Thom, and Andrew Parks and their Associates

proprietors of said Library and all such as may hereafter become proprietors of the same be and they hereby are incorporated into a Body-politic by the Name of the Proprietors of the Social Library in Salem with Continuation and Succession forever and in that name may sue and be sued in all personal Actions and may prosecute and defend the same to final Judgment, Execution and Satisfaction: And they are hereby vested with all the powers and privileges incident to Corporations of a similar nature and may enjoin penalties of disfranchisement or fine not exceeding five Dollars for each Offence to be recovered by said Proprietors in an Action of Debt to their Use in any Court in this State proper to try the same. And they may make purchase and receive Subscriptions, Grants and Donations of personal Estate not exceeding the sum of one thousand Dollars for the purpose of their Association.

And be it further enacted that said Proprietors be and they hereby are authorised and impowered to assemble on the last Monday in March annually to choose all such Officers as may by them be deemed necessary for the orderly conducting the affairs of said Corporation who shall continue in Office until Others shall be chosen in their Room, and said Corporation may assemble as often as may be found necessary for filling up any vacancies which may happen in said Offices and for transacting all other business excepting the raising of Money which shall not be done except at an annual Meeting at which annual Meeting they are authorised and impowered to vote all such sums of money which shall be found necessary for defreying the Expences of said Library and for enlarging the same and shall make and enact such Rules and Bye-laws for the Government of said Corporation as may from time to time by them be thought proper provided the same be not repugnant to the Constitution and Laws of this State.

And be it further enacted that William Thom is hereby authorised and impowered to call the first Meeting of said Proprietors at such time and place as he may appoint by posting up a Notification expressing the time, place and design of said Meeting at the Meeting house in said Salem at least ten days before the time of holding said Meeting and the said William Thom shall preside in said Meeting until a Moderator shall be chosen and at said Meeting the Proprietors may agree on the manner of calling Meetings in future and shall have all the power and authority to choose all Officers and make Rules and Bye-laws as they may or can do at their annual Meeting.

[CHAPTER 21.]

State of }
New Hampshire. }

AN ACT TO VEST IN TILTON BENNET HIS HEIRS AND ASSIGNS, FOR THE TERM OF FORTY YEARS, UNLESS THE LEGISLATURE SHALL JUDGE PROPER TO GRANT LIBERTY FOR BUILDING A BRIDGE WITHIN SAID LIMITS, THE SOLE AND EXCLUSIVE PRIVILEGE OF KEEPING A FERRY, OVER A CERTAIN PART OF PEMIGEWASSET RIVER—

[Approved December 18, 1798. Original Acts, vol. 16, p. 34; recorded Acts, vol. 11, p. 268.]

Whereas Tilton Bennet has preferred a petition to the General Court, praying to have a ferry over Pemigewasset River, between Sandbornton and New Chester granted to him his heirs and assigns forever, which prayer appearing in part reasonable— Therefore

Be it enacted by the Senate and House of Representatives in General Court convened, that the sole and exclusive privilege of keeping a ferry over said River, beginning at the place where said Bennet has usually kept said Ferry and extending up said River one mile, as the River runs, unless it should interfere with the Grant made to Cutting Feavour and others, and two miles down said River as the River runs, shall vest in Tilton Bennet his heirs and assigns for the term of forty years, unless the Legislature shall judge proper to grant liberty for building a bridge within said limits—he and they from time to time as occasion may require giving bond in the sum of two Hundred Dollars to the Clerk of the Court of Common Pleas in and for the County of Grafton in the State aforesaid for the use of said County, that the said Ferry shall be well attended and constantly kept—

And be it further enacted that a toll is hereby granted and established for the benefit of the said proprietor his heirs and assigns of said ferry for the term of five Years in the rates following, namely, for each foot passenger two Cents, for each horse and rider, three cents— for each horse and chaise, chair or sulkey, or other riding carriage drawn by one horse only, ten cents— for each riding sleigh drawn by one horse, four cents, for each riding sleigh drawn by more than one horse six cents for each coach, charriot, phaeton, or other four wheeled carriage for passengers, drawn by more than one horse, twenty cents— for each curricule, twelve cents, for each cart or other carriage of burthen drawn by two beasts, ten cents, and three cents for every additional beast— for each horse or neat creature, exclusive of those rode on or in carriages, two cents, for sheep and swine one half cent each, and to each team one person and no more shall be allowed as driver to keep free of toll— At the end of which five years it shall be the duty of the Court of Common

Pleas for said county of Grafton to establish the rates of toll for said Ferry from time to time during the continuance of said Grant—

And be it further enacted that if any other person or persons shall for hire or reward transport over said River within the limits and time aforesaid any person creature or thing, the person so offending shall forfeit and pay to the said Bennet, or his heirs or assigns the sum of ten Dollars for each offence, to be sued for and recovered in any Court proper to try the same— and a copy of this Act shall be given in evidence—

[CHAPTER 22.]

State of }
New Hampshire. }

AN ACT FOR ALTERING THE TIME OF HOLDING THE ANNUAL TOWN MEETING IN THE TOWN OF NORTHWOOD.

[Approved December 20, 1798. Original Acts, vol. 16, p. 35; recorded Acts, vol. 11, p. 149.]

Whereas Jonathan Clark Esquire Representative for the Town of Northwood in the County of Rockingham in said State hath represented to the General Court that the Inhabitants of said Town are desirous to have an Act passed to alter the time of holding their annual Town Meeting from the third Tuesday in March to the first Wednesday in March which being made to appear.—Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened, that from and after the passing of this Act, the time of holding the annual Town Meetings in said Northwood shall be on the first Wednesday in March any Law, Usage or Custom to the contrary notwithstanding

[CHAPTER 23.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE SOCIAL LIBRARY IN LEMPSTER.

[Approved December 20, 1798. Original Acts, vol. 16, p. 36; recorded Acts, vol. 11, p. 200.]

Be it enacted by the Senate and House of Representatives in General Court convened that Elijah Frink, Allen Willey, Jabez Beckwith and Uzzel Hurd and their Associates Proprietors of said Library and all such as may hereafter join them be and they hereby

are incorporated into a Body politic by the Name of the Proprietors of the Social Library in Lempster with Continuation and Succession forever and in that name may sue and be sued in all personal Actions and may prosecute and defend the same to final Judgment and Execution and they are hereby vested with all the powers and privileges incident to Corporations of a similar nature and may enjoin penalties of disfranchisement or fine not exceeding four dollars for any one offence to be recovered by said proprietors in an action of Debt to their use in any Court in this State proper to try the same and they may make purchase and receive subscriptions, grants and donations of personal Estate not exceeding the sum of one thousand Dollars, including the books in said Library, for the purpose of their Association.

And be it further enacted that said Proprietors be and they hereby are authorised to assemble in said Town of Lempster on the first Tuesday in November annually to choose all such Officers as shall be found necessary for the orderly conducting the affairs of said Corporation who shall continue in Office until others are chosen in their Room, and said Corporation may assemble as often as may be found necessary for filling up any vacancies which may happen in said Offices and for transacting all other business excepting the raising of Money which shall be done at the annual Meeting and at no other time at which annual Meeting they are impowered to vote all such sums of Money as shall be found necessary for defreying the annual Expences of preserving said Library and for enlarging the same and shall make and enact all such Rules and Bye laws for the Government of said Corporation as may be by them from time to time found necessary provided the same be not repugnant to the Constitution and Laws of this State or of the United States.

And be it further enacted that Jabez Beckwith and Uzzel Hurd or either of them are hereby authorised and impowered to call the first Meeting of said Proprietors at such time and place as they may appoint by posting up a notification expressing the time, place and design of said Meeting at the Meeting house in said Lempster at least fourteen days before the time of holding said Meeting and the Proprietors at said Meeting may agree on the manner of calling future meetings and shall have all the powers to make Rules and Bye-laws and choose all Officers as they may or can do at their annual Meetings.

[CHAPTER 24.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE SAMUEL BLODGET ESQ^R AND OTHERS HIS ASSOCIATES WITH THE EXCLUSIVE RIGHT AND PRIVILEGE OF CUTTING A CANAL BY AMOSKEIG FALLS ON MERRIMACK RIVER AND LOCKING THE SAME

[Approved December 24, 1798. Original Acts, vol. 16, p. 37; recorded Acts, vol. 11, p. 154. See acts of January 1, 1796, id., vol. 9, p. 265; December 30, 1799, id., vol. 12, p. 214; June 18, 1802, id., vol. 11, p. 331.]

Whereas the opening and cutting a Canal by Amoskeig Falls on Merrimack river for the purpose of transporting Goods, Wares, and Merchandize and Lumber up and down said river, would be of the greatest utility and Whereas Samuel Blodget Esquire has, in prosecuting this business, been at very great expence and charge in cutting through large Rocks on his own land, building Dams and Locks and has nearly compleated this great Work; And has petitioned for authority to have the exclusive right of Canalling and Locking said Falls and the interest established in himself and such others as he may sell to, and to be managed by legal Corporate Powers on such a rate of toll as shall be considered just and reasonable—

Be it therefore enacted by the Senate and house of Representatives in general Court convened that such Persons as the said Samuel Blodget Esq^r shall convey, Parts or shares in his Locks, Canal, Mills and real Estate and appurtenances thereunto belonging in Derryfield together with himself his and their heirs and successors shall be and hereby are made a Corporation body Politick, By the name and stile of the Proprietor or Proprietors of Blodgets Canal with the exclusive right of cutting and forming a Canal by Amoskeig Falls and locking the same and by that name may sue and be sued to final Judgment and Execution and may do and suffer all matters, Acts and things which body's Politick may do and suffer—

And be it further enacted that the said Samuel Blodget and the said Persons to whom he shall convey any part of the Property, may at a meeting agreed upon for that purpose (all said persons being present by themselves or Attorney) choose a Clerk and Treasurer who shall be sworn to the faithful discharge of their duty also a President, Directors and other necessary Officers and may then and there agree upon a method for calling meetings for the said Corporation in future, at all which meetings each Proprietor shall vote according to the interest he may have—

Be it further enacted that the same Property shall be divided into five thousand shares, any Proprietor, holding five Shares shall have one Vote—twenty shares shall have two Votes,—forty five shares;

three Votes—seventy five shares; four Votes—a hundred shares, five Votes—two hundred shares; six Votes,—four hundred shares; seven Votes— six hundred shares, eight Votes—eight hundred shares, nine Votes— thousand shares; ten Votes— twelve hundred and fifty shares; twenty Votes — two thousand shares shall have, thirty Votes and no Proprietor shall be entitled to any greater number of Votes, than thirty—and that said Shares shall be considered as Personal Estate, and that the President of the Corporation shall issue Certificates for each share to the Proprietor thereof, which certificate shall be countersigned by the Clerk, and the Clerk shall record all such Certificates in a book kept for that purpose and when the property of every share shall be transfered, the former Certificate shall be returned with a Certificate on the back thereof signed in the presence of one witness at least expressing the transfer, which being done, the President shall issue a new Certificate in the name of the Purchaser and such shares shall be liable to the Payment of all taxes assessed thereon by the Corporation to raise money for erecting, finishing repairing altering any locks, Canal, Mills, Dams or Purchases of land or any thing that concerns the interest of the Corporation of said Canal at or near Amoskeig falls and for all necessary charges arising in the management of the whole business of said Corporation, and shall be liable to be sold at Auction according to the Laws in being for selling the wild lands of Proprietors for the payment of taxes, to be liable for the Payment of the debts of the Corporation, to be liable for the Payment of the debts of the Owners and attached by a summons being left with the Clerk—

Be it further enacted that the President and Directors shall make the By Laws for the Corporation which shall be equally binding on themselves and the Proprietors of said Canal, And that said Corporation shall have full power and uthority to make have and use a common Seal and the same to break or renew at pleasure—

And Whereas it will be necessary in the prosecution of said business, that a very expensive Wharf or Cob Dam should be erected at the head of the Canal, both for the purpose of turning the Waters into said Canal and for extending a curvated line so far into the river as to form a pool or Bason for the securing and safe keeping of Rafts

Be it therefore further enacted that the Proprietor or Proprietors of said Canal have full liberty granted them to build and erect a fit and convenient Dam of such heighth and length and of such form as he or they deem proper for throwing and conducting the Waters of said River into said Canal and for making a safe and convenient harbour, for the safe keeping of Rafts Boates or other Craft 'till with convenience, they may or can be conducted through said Canal Provided said Wharf or Dam does not extend more than one half of the way across said River And in case any rafts of boards or Timber

shall be kept and detained in said Harbour or Pool an unreasonable space of time to the damage and prejudice of others and the Proprietor or Proprietors and the Owner or Owners shall refuse or neglect to pay the customary or established Toll thereof; it shall and may be lawful for the said Proprietor or Proprietors to conduct such Rafts through said Canal and to secure the same in the best way and manner they can all circumstances considered then said Raft shall be at the risque of the said Owner or Owners, the Proprietor or Proprietors first taking double Toll for their extraordinary trouble therein out of said Lumber which shall be surveyed by a sworn Surveyor—

And be it further enacted by the authority aforesaid, that whenever the Toll Gatherer shall estimate the quantity of Lumber contained in any Raft higher than the Owner or Manager of said Raft, the Toll gatherer shall cause the same to be surveyed by a sworn Surveyor and if upon such survey, there shall appear to be in such Raft a greater quantity than was declared by the owner thereof, the expense of such survey shall be paid by the Owner in addition to the Toll, otherwise the expense shall be deducted from the Toll—

And be it further Enacted by the authority aforesaid, that for the purpose of reimburseing the said Proprietor or Proprietors for cutting a Canal and locking the same a Toll be and is hereby granted at the rates following; for every thousand feet of pine boards, fifty cents— for every thousand feet of two and half inch pine plank, one dollar and twenty five cents, and other pine plank in proportion thereto—for every thousand feet of two and an half inch oak plank, two dollars and fifty cents and other oak plank in proportion thereto—for every cord of pine wood, twenty cents—for every cord of other wood, twenty five cents— for every thousand of barrel staves, fifty cents— for every thousand of Hoggshead staves— ninety cents— for every thousand of pipe Staves, one dollar and twenty five cents—for every ton of oak timber, thirty seven and an half cents—for every Ton of pine Timber, twenty cents— for every Boat or other Vessel at the rate of twenty five cents for every ton burthen it is capable of conveying whether loaded or not for every mast, at the rate of seventeen cents for every inch of the diameter thereof at one third the length at the largest end; and for all articles not enumerated in proportion to the rates aforesaid— Provided nevertheless that the said rate of Toll shall be subject to the direction of the Legislature after thirty years from the passing this Act—

Be it further enacted that if any Person or Persons shall wilfully maliciously and contrary to Law, take away remove, beat down, dig under, or otherwise damnify any Dam, Canal, or Lock or part thereof designed for the purpose aforesaid— damnify, carry away, or set on float to be carried away, boards, plank, Joists or other timber, or materials used or to be used in and about said works or shall be aiding or assisting in any of the trespasses aforesaid, he,

she, or they shall for every such Offence, forfeit and pay to the Proprietor or Proprietors aforesaid, treble such damages as the said Proprietor or Proprietors shall to the Justices or Court and Jury before whom the Tryal shall be, make to appear that they have sustained by means of the same Trespasses, to be sued for and recovered in any Court proper to try the same—

And be it further enacted that there shall be a Toll gatherer to attend on said Canal who shall give constant attendance during the whole of the Season for Boats and Rafts to pass and on the Toll being paid shall as soon as may be with the Assistance of the Owner of said Raft be conducted with their property through said Locks and Canal as soon as the same are compleat—Provided the Raft is of suitable depth and width, which shall be publickly advertised as soon as said Canal is finished—

And Whereas the Canal now runs in the river below Amoskeig Falls and parellel with the bank of said river and is exposed to Freshets and Ice, and it may so happen that the Canal may be rendered useless, unless permission be granted to cut the Canal on the eastern Bank of said Merrimack river and of course where part of the Public highway now runs—

Be it therefore enacted, that whenever it shall be found safer and more convenient for the Public and the interest of the Proprietor or Proprietors to cut the Canal on the bank of said River, although it will interfere with the Public Highway notwithstanding, the Proprietor or Proprietors shall hereby have leave granted them to make use of such part of said Highway as shall be most suitable to them to cut the Canal on, upon Condition they purchase an equal quantity of land and adjoining said Highway and runing parellel with the present highway, and at their own cost and charge make said Highway equally as good as the Present Highway in the opinion of the Selectmen of Derryfield, who are hereby authorised to receive the same in lieu of that which was made use of by the said Proprietor or Proprietors and lay out the same as Public Highway—

Provided Nevertheless that if said Canal is not finished or so far compleated as to convey and reconvey any and every article proper to be transported through the same within five years from the passing this Act, said Grant or this Act shall be void—

[CHAPTER 25.]

State of }
New Hampshire. }

AN ACT TO EXTEND THE EASTERLY AND SOUTHERLY LINE OF THE TOWN OF PEMBROKE IN THE COUNTY OF ROCKINGHAM, ADJOINING UPON ALLENSTOWN, TO THE EASTERLY AND SOUTHERLY BANK OF SUNCOOK RIVER

[Approved December 24, 1798. Original Acts, vol. 16, p. 38; recorded Acts, vol. 11, p. 176.]

Whereas a Petition has been preferred to the General Court by the Inhabitants of Allenstown, setting forth, among other things, that the Bridges across Suncook River adjoining said Allenstown are much out of repair & almost impassable—That the town of Pembroke did not conceive themselves under obligation by Law to build and keep in repair any part of the same, and that the Inhabitants of said Allenstown were few in number and by no means able to Build and keep in repair the Bridges aforesaid—

Wherefore they prayed relief in the Premises,—which, on a full hearing of all parties concerned, appearing reasonable—

Therefore Be it Enacted by the Senate and House of Representatives in General Court convened, That the Easterly and Southerly line of said Town of Pembroke, adjoining said Allenstown, shall hereafter be considered to extend, and shall extend, to the Easterly and Southerly Bank of Suncook River—Provided Nevtreheless that this Act shall not be construed to effect, nor any way alter the private property, title, or privilege of any individual; but the same shall remain in the like situation, as if this Act had not been passed.—

[CHAPTER 26.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO THE LAWS RELATING TO PROPRIETARY MATTERS.

[Approved December 24, 1798. Original Acts, vol. 16, p. 39; recorded Acts, vol. 11, p. 190. Laws, 1805 ed., p. 193; id., 1815 ed., p. 235; id., 1830 ed., p. 116.]

Section, 1. Be it enacted by the Senate and House of Representatives in General Court convened, that from and after the twentieth day of May next, all Proprietors' Clerks and Collectors, and all other Proprietary Officers, shall be Inhabitants of this State; and upon their ceasing to be Inhabitants as aforesaid, their respective

Offices shall cease; and all persons who now, or shall then, hold any of the Offices aforesaid, and who live out of this State, shall cease to hold said Offices from and after said twentieth day of May next.

Sect. 2. And be it further enacted, that in every case where the Proprietors' Clerk now lives without this State, or shall so live on said twentieth day of May next, it shall and may be lawful for one sixteenth part, or more, of the Proprietors of said lands, to apply in writing to any Justice of the Peace in this State, requesting him to call a Meeting of said Proprietors, who shall on such application issue his Warrant or notification accordingly; and the same notice shall, in all respects, be given for calling said Meetings as by law is required for calling Proprietary Meetings.

Sect. 3. And be it further enacted, that the number of votes to which each Proprietor at any proprietary Meeting, shall be entitled, shall be according to the number of Rights or Shares said Proprietor owns in said land, in the proportions following and not otherwise; that is to say; for one Right or Share, one vote; for two Rights or Shares, two votes; for every two Rights or Shares above two, and not exceeding ten, one vote; for every four Rights or Shares above ten, and not exceeding thirty, one vote; for every six Rights or Shares above thirty and not exceeding sixty, one vote; and for every eight Rights or Shares above sixty, one vote. And if two or more persons be the Proprietors or Owners of a Right, Share or Lot such persons or any one of them shall be entitled to vote according to their Interest therein agreeably to the Rate and Proportion aforesaid.

Sect. 4 And be it further enacted, that no Collector of any proprietary tax shall execute a deed of any real Estate by him sold for taxes, until the time for redeeming the same shall be expired; and in case any Proprietors' Collector shall die, remove or any way be rendered incapable of compleating the duty of such Office, their Successors respectively shall compleat the same. And any person shall have the liberty of redeeming any lands sold for the payment of proprietary taxes at any time within the term of one year from the sale thereof, the person redeeming the same paying to the Collector a sum amounting to the real value of what the lands sold for, all legal Charges, and the interest thereon to the time of payment.

[CHAPTER 27.]

State of }
New Hampshire. }

AN ACT GRANTING TO JOSHUA SHAW A NEW TRIAL IN A CERTAIN ACTION HERETOFORE DETERMINED BY REFEREES, BETWEEN SAID SHAW AND THOMAS FELLOWS—

[Approved December 24, 1798. Original Acts, vol. 16, p. 40; recorded Acts, vol. 11, p. 204.]

Whereas Joshua Shaw of Sandown in the County of Rockingham in said State hath petitioned this Court, setting forth, that at the Court of Common pleas held at Exeter in said State in August one thousand seven hundred and ninety six, Thomas Fellows of the same Sandown, commenced an action of Ejectment against him, which action was afterwards carried to the Superior Court at February Term one thousand seven hundred and ninety eight, the same was referred to five Referees, who reported, that said Fellows should recover possession of the Premises sued for, and cost of reference which was accepted and Judgment entered thereon; which said Report, the Petitioner considers erroneous and evidently founded in partiality and praying the Court to grant him a new trial in said action the Prayer of which Petition appearing reasonable—

Be it therefore enacted by the Senate and House of Representatives in General Court convened, that a new trial be granted the said Joshua Shaw in the said action, and that he have liberty to enter the same anew at the next Superior Court of Judicature to be holden at Portsmouth within and for the County of Rockingham on the first tuesday of February next, and to prosecute the same in as ample a manner in all respects as if there had been no former trial or determination thereof, and the Justices of said Superior Court of Judicature, are hereby authorised to sustain the same accordingly, and are fully empowered to render Judgment therein and award Execution thereon, the former Judgment notwithstanding—

And be it further enacted that the said Joshua Shaw shall cause the said Thomas Fellows his Agent or Attorney to be served with an Attested Copy of this Act, thirty days at least before the sitting of the next Superior Court for the County of Rockingham—

[CHAPTER 28.]

State of }
New Hampshire. }

AN ACT TO VEST IN SALAH HOW HIS HEIRS AND ASSIGNS THE PRIVILEGE OF KEEPING A FERRY OVER A CERTAIN PART OF CONNECTICUT RIVER

[Approved December 24, 1798. Original Acts, vol. 16, p. 41; recorded Acts, vol. 11, p. 220.]

Whereas Salah How of Waterford in the State of Vermont Esquire has preferred a petition to the General Court praying to have the exclusive Right of keeping a Ferry across Connecticut River from Littleton in the State of New Hampshire to Waterford in the State of Vermont any where across said River from the Mouth of Hall's Brook, so called, three miles down said River; granted to him his Heirs and Assigns; which petition appearing in part reasonable

Therefore

Be it enacted by the Senate and House of Representatives in General Court convened that the sole and exclusive privilege of keeping a ferry over said River, beginning at the mouth of Halls Brook, so called, and extending down said River as the River runs three miles shall be and hereby is vested in the said Salah Howe his Heirs and Assigns for the term of forty Years (unless the Legislature of said State of New Hampshire shall judge proper to grant liberty for building a bridge within said limits) he and they from time to time as occasion may require giving Bond in the sum of two hundred dollars to the Clerk of the Court of Common Pleas in and for the County of Grafton in said State of New Hampshire that the said ferry shall be constantly kept and well attended.

And be it further enacted that the several Rates of ferriage hereafter mentioned shall be and hereby are granted and established for the benefit of the said Salah How his heirs and assigns for the term of five years, namely, for each foot passenger, two Cents; for each horse and Rider, three Cents; for each horse and chaise, chair or sulkey or other riding Carriage drawn by one horse only, ten Cents; for each riding sleigh drawn by one horse, four Cents; for each riding sleigh drawn by more than one horse, six Cents; for each Coach, Charriot, Phaeton or other four wheeled Carriage for Passengers drawn by more than one horse, twenty Cents; for each Curricule, twelve Cents; for each Cart or other Carriage of burthen drawn by two beasts, ten Cents, and three Cents for every additional Beast; for each horse or neat Creature exclusive of those rode on or in Carriages, two Cents; for sheep and swine one half Cent each; and to each team one person and no more shall be allowed as a driver to pass free of ferriage. And at the end of said five years

it shall be the duty of the Justices of the Court of Common Pleas for said County of Grafton to establish the Rates of ferriage for said ferry from time to time during the Continuance of said Grant

And be it further enacted, that, if any other person or persons shall for hire or reward transport over said River within the limits and time aforesaid any person, creature or thing the person or persons so offending shall forfeit and pay to the said How his heirs or assigns the sum of ten dollars for each offence to be sued for and recovered in any Court proper to try the same and an attested Copy of this Act shall be received in evidence.

[CHAPTER 29.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF MARLBOROUGH LIBRARY

[Approved December 24, 1798. Original Acts, vol. 16, p. 42; recorded Acts, vol. 11, p. 238.]

Be it enacted by the Senate and House of Representatives in General Court Convened that Phinehas Farrar, Joseph Frost, Calvin Stone, David Carter, Jedediah Tayntor, and their Associates proprietors of said Library and all such as may hereafter become proprietors of said Library be and they hereby are incorporated into a body politic by the name of the proprietors of Marlborough Library with Continuation and succession forever and in that name may sue and be sued in all Actions personal and may prosecute and defend the same to final Judgment and Execution and they are hereby vested with all the powers and privileges incident to Corporations of a similar nature and may enjoin penalties of disfranchisement or fine not Exceeding three Dollars for each offence to be recovered by said society in an Action of debt to their Use in any Court proper to try the same and they may make purchase and receive subscriptions grants and donations of personal Estate not exceeding one Thousand Dollars including the Books in said Library for the purpose and Use of their Association

And be it further enacted that said society be and they hereby are authorized to assemble at said Marlborough on the second Wednesday of October Annually to Choose all such Officers as may be found necessary for the orderly Conducting the Affairs of said Corporation who shall Continue in Office untill others are Chosen in their room and that said Corporation may Assemble as often as may be found necessary for filling up any vacancy which may happen in said Offices and for transacting all their business excepting the raising of Money which shall not be done except at an Annual meet-

ing at which Annual meeting they are impowered to Vote all such sums as may be found necessary for preserveing and enlarging said Library and to make such Rules and By Laws as may be found necessary for the Government of said Society provided the same be not repugnant to the Constitution and Laws of this State

And be it further enacted that David Carter or Jedediah Tayntor are hereby Authorised to Call the first meeting of said proprietors at such time and place as they may appoint by posting a notification for that purpose at the Meeting House in said Marlborough at least fifteen Days prior to said meeting And said Proprietors at said meeting shall have the same powers to Choose Officers and make by Laws as they have at their Annual meeting

[CHAPTER 30.]

State of }
New Hampshire. }

AN ACT FOR TAXING LAND IN THE TOWN OF LANDAFF—

[Approved December 24, 1798. Original Acts, vol. 16, p. 43; recorded Acts, vol. 11, p. 312.]

Whereas a Petition hath been preferred to the general Court by the Inhabitants of said Landaff, setting forth that they labour under great inconveniences for want of roads, and not having had any help from the proprietors prayed that a tax of three cents per Acre might be laid on all the lands in said town (public rights excepted) for the sole purpose of making roads through said Landaff which petition appearing reasonable, therefore—

Be it enacted by the Senate and house of Representatives in general Court convened that John Cogswell, Richard Clement, and Peter Carlton be, and they hereby are impowered to assess a tax of three cents per acre on each acre of land in said Landaff (public rights excepted) for the term of one year, which taxes when raised to be applied to the purpose of laying out, making and repairing a road or roads through said Town—

And be it further enacted that the said John Cogswell, Richard Clement, and Peter Carlton, who shall assess the taxes, by virtue of this Act, are hereby authorised and directed to make their warrant for the collection of the same; and the Collector to whom said warrant shall be committed shall levy and collect the same with incidental charges, from the lands of any delinquent owner or owners by sale of such part or parts of said lands as shall be sufficient to discharge the same, after giving eight weeks notice thereof, also of the time and place of such intended sale in the Newhampshire Gazette as also by posting up a like advertisement in some public place in the town of Landaff the like term of time previous to such

intended sale and the collector of such taxes is hereby authorised to make good and valid conveyances of such lands so sold, saving the same time for the redemption thereof as Nonresident proprietors are by law entitled to.

And be it further enacted that the monies so raised in Landaff aforesaid, shall be applied solely to the purposes herein mentioned, by said Committee they giving bonds in a reasonable sum to the clerk of the court of common pleas for the County of Grafton for the due appropriation and application of all such monies, which shall be assessed levied and collected by virtue of this Act.

Provided nevertheless, that the proprietors and owners of land in said Landaff shall have liberty to pay their proportion of the assessment aforesaid in labour to be done on said roads at any time between the first day of June and the last day of September in the year seventeen hundred and ninety nine, and shall have eight weeks notice for that purpose in the same way and manner as the collector is directed in this act to give notice in case of sale of land which notice shall be given previous to the time in which said work is to be done, and the owner or owners, who shall choose to work out said tax, shall do it under the direction of said Committee, and shall be allowed six cents, and no more for every hours, actual labour performed by an able bodied Man finding his own tools and diet—

[CHAPTER 31.]

State of }
New Hampshire. }

AN ACT FOR MAKING & ESTABLISHING A NEW PROPORTION OF PUBLIC TAXES AMONG THE SEVERAL TOWNS, PARISHES & PLACES WITHIN THIS STATE; AND TO AUTHORIZE THE TREASURER TO ISSUE HIS WARRANTS FOR LEVYING THE SAME ANNUALLY—

[Approved December 26, 1798. Original Acts, vol. 16, p. 44; recorded Acts, vol. 11, p. 122. See act of December 27, 1798, id., p. 138.]

Be it enacted by the Senate and House of Representatives in General Court convened, that the proportion to every thousand dollars of the public Taxes which each Town parish and place within this State shall annually pay, & for which the Treasurer is hereby authorized & directed to Issue his Warrants shall be as follows, to wit.

FOR THE COUNTY OF ROCKINGHAM

Allenstown One dollar thirty six Cents	1 36
Atkinson Three dollars sixty four Cents	3 64
Bow Two dollars ninety nine Cents	2 99

Brintwood, Seven dollars eighteen Cents	7 18
Candia Six dollars eighty Cents	6 80
Canterbury, Seven dollars ninety Cents	7 90
Chester Twelve dollars eighty two Cents	12 82
Chichester, Three dollars forty five Cents	3 45
Concord Eleven dollars thirteen Cents	11 13
Deerfield, Eleven dollars forty six Cents	11 46
East Kingston, Three dollars sixty five Cents	3 65
Epping, Nine dollars seventy Cents	9 70
Epsom, Five dollars sixty Cents	5 60
Exeter Ten dollars	10
Greenland Four dollars forty two Cents	4 42
Hampstead Four dollars seventy five Cents	4 75
Hampton Seven dollars one Cent	7 1
Hampton falls Four dollars seventy six Cents	4 76
Hawke, Three dollars one Cent	3 1
Kensington Six dollars	6
Kingston, Four dollars eighty six Cents	4 86
Londonderry, Sixteen dollars eighty two Cents	16 82
Loudon, Seven dollars seventy three Cents	7 73
New Castle One dollar fifty two Cents	1 52
Newington Three dollars fifty six Cents	3 56
Newmarket Six dollars eighty Cents	6 80
Newtown, Two dollars eighty Cents	2 80
Northfield Four dollars sixty Cents	4 60
North Hampton, Five dollars five Cents	5 5
Northwood, Six dollars sixteen Cents	6 16
Nottingham Seven dollars fifteen Cents	7 15
Pelham, Six dollars nine Cents	6 9
Pembroke Six dollars ninety Cents	6 90
Pittsfield Five dollars forty Cents	5 40
Plaistow Three dollars thirty six Cents	3 36
Poplin, Three dollars twenty six Cents	3 26
Portsmouth Twenty six dollars thirty three Cents	26 33
Raymond, Five dollars ten Cents	5 10
Rye, Five dollars six Cents	5 6
Salem, Six dollars eighty Cents	6 80
Sandown, Three dollars seventy Cents	3 70
Seabrook Three dollars forty two Cents	3 42
South Hampton, Three dollars twenty Cents	3 20
Stratham, Five dollars ninety two Cents	5 92
Windham, Four dollars thirty nine Cents	4 39

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FOR THE COUNTY OF STRAFFORD

Alton, three dollars seventy nine Cents	3 79
Barnstead, Five dollars fifty eight Cents	5 58
Barrington, Thirteen dollars thirty five Cents	13 35
Brookfield Two dollars eighty five Cents	2 85
Centre Harbour, One Dollar thirty seven Cents	1 37
Conway, Four Dollars thirty Cents	4 30
Dover Eleven Dollars eighteen Cents	11 18
Durham, Eight dollars nineteen cents	8 19
Eaton, One Dollar forty Cents	1 40
Effingham, Two Dollars eighteen cents	2 18
Farmington five Dollars sixty cents	5 60
Gilmantown, Nineteen dollars fifty eight Cents	19 58
Lee, five dollars seventy six Cents	5 76
Madbury, four dollars seventeen Cents	4 17
Meredith, eight Dollars sixty four Cents	8 64
Middleton, one dollar ninety five cents	1 95
Moultonborough four Dollars, twenty five Cents	4 25
New-Durham, three dollars thirty seven cents	3 37
New Hampton, four dollars thirteen cents	4 13
Ossippee, three dollars, four cents	3 04
Rochester, twelve dollars sixty cents	12 60
Sanbornton, eleven dollars eighty three cents	11 83
Sandwich, Six dollars, ninety two cents	6 92
Somersworth five Dollars one cent	5 01
Tamworth, three dollars seventy cents	3 70
Tuftonborough, One dollar sixty seven cents	1 67
Wakefield, five dollars forty one cents,	5 41
Wolfeborough, four dollars, sixty eight cents,	4 68
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FOR THE COUNTY OF HILLSBOROUGH

Amherst, Ten dollars thirty Cents	10 30
Andover Five dollars twenty one Cents	5 21
Antrim, Four dollars sixty three Cents	4 63
Bedford, Five dollars ninety three Cents	5 93
Boscawen, Eight dollars sixteen Cents	8 16
Brookline, One dollar sixty six Cents	1 66
Bradford, Two dollars forty four Cents	2 44
Campbell's Gore, Eighty four Cents	84
Dearing Five dollars eighty four Cents	5 84
Derryfield, Two dollars nineteen Cents	2 19
Dunbarton Six Dollars sixty seven Cents	6 67

Dunstable, Three dollars ninety six Cents	3 96
Fishersfield, Two dollars sixteen Cents	2 16
Francistown Six dollars seventy seven Cents	6 77
Goffstown Seven dollars seventy Cents	7 70
Greenfield, Four dollars thirty nine Cents	4 39
Hancock, Four dollars eighty two Cents	4 82
Henniker, Six dollars eighty five Cents	6 85
Hillsborough, Six dollars	6
Hollis, Seven dollars sixty Cents	7 60
Hopkinton, Eleven dollars & eighty four Cents	11 84
Keasarge Gore, Sixty Cents	60
Lyndeborough, Five dollars seventy Cents	5 70
Lytchfield, Two dollars forty eight Cents	2 48
Mason, Five dollars twenty four Cents	5 24
Merrimack, Four dollars sixty two Cents	4 62
Milford Five dollars seven Cents	5 7
New Boston, Eight dollars eighty six Cents	8 86
New Ipswich, Seven dollars fifty eight Cents	7 58
New London, Two dollars	2
Nottingham West, Five dollars thirty Cents	5 30
Peterborough, Seven dollars seventy eight Cents	7 78
Salisbury, Ten dollars twenty nine Cents	10 29
Sharon, One dollar seventy two Cents	1 72
Society Land, Sixty seven Cents	0 67
Sutton, Three dollars sixty Cents	3 60
Temple Four dollars twenty Cents	4 20
Warner, Seven dollars three Cents	7 3
Weare, Thirteen dollars seventy four Cents	13 74
Wilton Six dollars eighty six Cents	6 86
<hr/>	
	\$219 30

FOR THE COUNTY OF CHESHIRE—

Acworth Five dollars ninety four Cents	5 94
Alstead, Seven dollars eighty five Cents	7 85
Charlestown, Eight dollars nine Cents	8 9
Chesterfield, Eleven dollars one Cent	11 1
Claremont Ten dollars ninety six Cents	10 96
Cornish, Seven dollars ninety six Cents	7 96
Croydon, Four dollars eighteen Cents	4 18
Dublin, Five dollars seventy Cents	5 70
Fitzwilliam Five dollars ninety seven Cents	5 97
Hinsdale Two dollars sixty eight Cents	2 68
Gilsum Two dollars eight Cents	2 8
Goshen, One dollar sixty Cents	1 60
Jaffrey, Seven dollars twenty one Cents	7 21

Keene, Nine dollars thirty Cents	9 30
Langdon Two dollars fifty three Cents	2 53
Lempster Three dollars seventy two Cents	3 72
Marlborough Five dollars sixty three Cents	5 63
Marlow, Two dollars ninety five Cents	2 95
New Grantham, Three dollars four Cents	3 4
Newport, Six dollars	6 0
Packersfield Five dollars five Cents	5 5
Plainfield Seven dollars ninety two Cents	7 92
Richmond Seven dollars thirteen Cents	7 13
Rindge Six dollars eighty four Cents	6 84
Springfield Two dollars sixty Cents	2 60
Stoddard Four dollars sixty Cents	4 60
Surry Three dollars twenty eight Cents	3 28
Sullivan, Two dollars fifty four Cents	2 54
Swanzey Seven dollars seventy Cents	7 70
Unity Four dollars twenty five Cents	4 25
Walpole Twelve dollars twenty six Cents	12 26
Washington Three dollars fifty eight Cents	3 58
Wendall One dollar & fifty Cents	1 50
Westmoreland Nine dollars three Cents	9 3
Winchester Eight dollars thirty one Cents	8 31

\$200 99

FOR THE COUNTY OF GRAFTON—

Alexandria One dollar sixty seven Cents	1 67
Bartlett One dollar twenty eight Cents	1 28
Bath, Three dollars sixty three Cents	3 63
Bethlehem Sixty three Cents	0 63
Bretton Woods Thirty Cents	0 30
Bridgwater Two dollars ninety Cents	2 90
Burton Eighty two Cents	82
Cambridge, Forty eight cents	0 48
Campton, Three dollars, fifty four cents	3 54
Canaan, four dollars forty four cents	4 44
Chatham seventy six cents	76
Cockburne, seventy five cents	0 75
Colebrooke, ninety two cents	0 92
Concord, two dollars ninety One cents,	2 91
Coventry, seventy five cents	0 75
Dalton, seventy five cents	0 75
Danbury ninety two cents	0 92
Dorchester, one dollar, eighty seven cents	1 87
Dummer, sixty cents	0 60
Enfield, six dollars twenty four cents	6 24

Errol, sixty cents	0 60
Franconia, seventy six cents	0 76
Grafton, two dollars seventy five cents	2 75
Groton, two dollars, two cents	2 02
Hanover, nine dollars twenty cents	9 20
Haverhill, five dollars two cents	5 02
Hebron, one dollar thirty five cents	1 35
Jefferson, ninety eight cents	0 98
Kilkenny, sixty cents	0 60
Lancaster, three dollars	3 00
Landaff, two dollars, thirty seven cents	2 37
Lebanon, nine dollars thirty six cents	9 36
Lime, five dollars ninety four cents	5 94
Lincoln seventy five cents	0 75
Littleton, one dollar, eighty cents	1 80
Lyman, two dollars, forty cents	2 40
Millsfield sixty cents	0 60
New-Chester, two dollars eighty cents	2 80
New holderness, three dollars eighteen cents	3 18
Northumberland, one dollar eighty cents	1 80
Orange, eighty cents	0 80
Orford, four dollars ninety eight cents	4 98
Peeling, sixty cents	0 60
Percy, ninety cents	0 90
Peirmont, two dollars eighty eight cents	2 88
Plymouth, four dollars fifty seven cents	4 57
Rumney, two dollars, ninety eight cents	2 98
Shelburne, and Addition one dollar eighty cents	1 80
Stratford, two dollars, forty cents	2 40
Success, sixty cents	0 60
Thornton, two dollars eighty four	2 84
Trecothick, sixty cents	0 60
Warren, one dollar, eighty five cents	1 85
Wentworth, two dollars twenty five	2 25
Maynesborough, sixty cents	0 60
Paulsbourg, sixty cents	0 60
Whitefields, ninety cents	0 90
Durand, ninety cents	0 90
Stewart, one dollar fifty cents	1 50

\$127 99

LOCATIONS

William Erving, eleven cents	0 11
Barker, eleven cents	0 11
Winslow, fourteen cents	0 14

Nash and Sawyer, nine cents	0 09
John Goffe, nine cents	0 09
M.H Wentworth four cents	0 04
Daniel Rogers, six cents	0 06
Jacob Treadwell six cents	0 06
Hugh Sterling, eleven cents	0 11
S Sherburne & others, five cents	0 05
Thomas Martin, one cent	0 01
Joshua Martin, one cent	0 01
Theophilus Dame, two cents	0 02
John Hurd, two cents	0 02
Stephen Holland, two cents	0 02
Archibald Stark, fifteen cents	0 15
Samuel Hale, eleven cents	0 11
Francis Green, one cent	0 01
Samuel Stark, six cents	0 06
Rindge and Pierce, five cents	0 05
George Wentworth, thirty cents	0 30
Gridleys, one cent	0 01
	<hr/>
	\$1 63

	Dols	Cts
County of Rockingham	283	61
Strafford	166	48
Hillsborough	219	30
Cheshire	200	99
Grafton	127	99
Locations	1	63
	<hr/>	
	1000	00

And be it further enacted, That the said proportion shall be for all public taxes, until a new proportion shall be made and established; and that the treasurer, for the time being, issue his warrants accordingly—

[CHAPTER 32.]

State of }
New Hampshire. }

AN ACT TO ESTABLISH AN EQUITABLE METHOD OF MAKING RATES
 & TAXES—

[Approved December 26, 1798. Original Acts, vol. 16, p. 45; recorded Acts, vol. 11, p. 215. Laws, 1815 ed., p. 548. See acts of February 22, 1794, id., 1797 ed., p. 202, and June 17, 1796, id., p. 207.]

Be it enacted by the Senate and House of Representatives in General Court convened, that henceforward all public Taxes shall be assessed on the polls & rateable Estates in the manner following viz^t each Male poll from eighteen to seventy Years of Age (excepting those from eighteen to twenty one enrolled in the Militia, ordained Ministers, Students of Colleges, paupers & Idiots) to be valued at one dollar & thirty four Cents; Stallions or Stud Horses, that have been wintered three winters each at Five dollars; other Horses & Mares that have been Wintered five Winters each at Sixty six Cents; other Horses & Mares that have been Wintered four Winters only, each at Fifty Cents; other Horses and Mares that have been Wintered three Winters only each at thirty four Cents; other Horses & Mares that have been Wintered two Winters only each at Sixteen Cents; Oxen that have been Wintered five Winters each at Fifty Cents; Cows that have been Wintered five Winters each at thirty four Cents; all Neat Stock that has been Wintered four Winters only each at twenty five Cents; All Neat Stock that has been Wintered three winters only each at Sixteen Cents; all other Stock that has been Wintered two Winters only, each at eight Cents, reckoning the Winter to begin the first day of December & to end the last day of March. Orchard Land, accounting so much for an Acre as will one Year with another make Ten Barrels of Cyder or Perry, each Acre at twenty five Cents; arable Land, accounting so much for an Acre as will produce twenty five Bushels of Indian Corn or other Grain equivalent, one year with another at Sixteen Cents; Mowing land, accounting so much for an Acre as will produce one Ton of English Hay, or other Hay equivalent, one year with another, at Sixteen Cents for each Acre; Pasture land, accounting so much as will keep one Cow one Year with another four Acres, each Acre at Seven Cents—Mills, Wharves & Ferries to be estimated at one twelfth part of their neat yearly income, after deducting repairs; all other Buildings & unimproved Lands, whether owned by Inhabitants, or non-residents, at half of one per Cent of the real value; all Stock or property whether of Tanners, Curriers, Blacksmiths, or other Tradesmen employed in the business of their trades, at half of one per Cent; all Stock in

trade of Merchants, Shopkeepers, or other traders, reckoning the same at the average value thereof for a Year, at half of one per Cent; all Money on hand or at Interest, more than the owner pays Interest for, at three quarters of one per Cent; and all property in the public funds to be estimated at the same rate according to its real value—

[CHAPTER 33.]

State of }
New Hampshire. }

AN ACT RELATIVE TO THE COURT OF COMMON PLEAS IN THE COUNTY OF STRAFFORD.

[Approved December 27, 1798. Original Acts, vol. 16, p. 46; recorded Acts, vol. 11, p. 119. Laws, 1805 ed., p. 78.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the Court of Common Pleas shall in future be holden at Gilmantown in said County of Strafford on the third tuesday of August annually at or near the Academy in said Gilmantown.

[CHAPTER 34.]

State of }
New Hampshire. }

AN ACT TO FURTHER POSTPONE THE OPERATION OF AN ACT ENTITLED "AN ACT TO REGULATE SCALEBEAMS, STEELYARDS, WEIGHTS AND MEASURES" PASSED THE TWELFTH DAY OF DECEMBER 1797

[Approved December 27, 1798. Original Acts, vol. 16, p. 47; recorded Acts, vol. 11, p. 120. For the act referred to see Laws, 1805 ed., p. 375.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the Operation of the aforementioned Act, and every matter and clause therein, be postponed for the term of one Year from and after the passing of this Act, and no longer.—

[CHAPTER 35.]

State of }
New Hampshire. }

AN ACT ENABLING THE TREASURER OF THE STATE & TREASURER OF THE COUNTY OF HILLSBOROUGH FOR THE TIME BEING TO RECTIFY CERTAIN MISTAKES IN THE PROPORTION ACT PASSED DECEMBER 26TH 1798—

[Approved December 27, 1798. Original Acts, vol. 16, p. 48; recorded Acts, vol. 11, p. 138.]

Whereas it hath been made to appear to the General Court that in said proportion act Certain mistakes have been made in Carrying off the proportion to the following Towns (viz) Hopkinton one Dollar and thirty Eight Cents too Low Warner forty seven Cents High Wilton twenty five Cents Low Hollis Eleven Cents High, Therefore be it Enacted by y^e Senate & House of Representative in General Court convened that the Treasurer of the state & the Treasurer for the County of Hillsborough for the time being be & they hereby are fully authorised and impowered to Rectify said mistakes in all precepts by them Issued to the s^d Towns for Taxes untill a new proportion shall be made by making additions and Deductions agreeable to the above Statement

[CHAPTER 36.]

State of }
New Hampshire. }

AN ACT TO ENABLE THE INHABITANTS OF TUFTONBOROUGH TO TAX ALL THE LANDS IN SAID TOWN, AS UNIMPROVED LAND, FOR A CERTAIN PURPOSE

[Approved December 27, 1798. Original Acts, vol. 16, p. 49; recorded Acts, vol. 11, p. 144.]

Whereas the Inhabitants of Tuftonborough have petitioned the General Court setting forth that said Township was called upon for deficiency of soldiers when there were no Inhabitants therein; and that the Proprietors neglected paying the same: since that time, your petitioners have settled in said Town, bought their land at a dear rate, and are now called upon for said deficiency, which ought to have been paid by said Proprietary, and prayed for liberty to tax all the lands in said town as unimproved land, in a sum sufficient to discharge the sum due to the State for said deficiency; which appearing reasonabl:

Therefore, be it enacted by the Senate and House of Representatives in General Court convened, that the Select-Men, for the time being, of said Tuftonborough, be & they hereby are fully authorised and impowered to assess a tax on all the Lands in said town, as unimproved Land, in a sum of money sufficient to discharge the sum due to the State, for the deficiency of soldiers, as aforesaid; & that the same mode be observed in assessing & collecting said Taxes as the Laws now point out for assessing and collecting State & County taxes from residents and nonresidents—

[CHAPTER 37.]

State of }
New Hampshire. }

AN ACT GIVING SAMUEL GIBSON AND OTHERS LEAVE TO DRAW SEINES NEAR NATTICOOK BROOK AND TO PREVENT IN SOME DEGREE THE OPERATION OF AN ACT ENTITLED AN ACT TO PREVENT THE DESTRUCTION OF SALMON, SHAD AND ALEWIVES IN MERRIMACK RIVER AND FOR REPEALING ALL THE LAWS HERETOFORE MADE FOR THAT PURPOSE PASSED DECEMBER 20TH 1797.—

[Approved December 27, 1798. Original Acts, vol. 16, p. 50; recorded Acts, vol. 11, p. 146. Laws, 1805 ed., p. 391. Repealed June 20, 1811, id., 1815 ed., p. 444.]

Be it enacted by the Senate and House of Representatives in General Court convened that the aforesaid Act be so far suspended that the aforesaid Samuel Gibson and his Associates Proprietors of the Paddy seine (so called) and Simeon Kendal and his Associates Proprietors of the Pumpkin Seine have leave to draw their Seines in the customary way and manner that they heretofore have practiced.

Provided that they shall at no time have liberty to draw said seines nearer than two Rods of the Confluence of the waters of the said Natticook Brook with Merrimack River

[CHAPTER 38.]

State of }
New Hampshire. }

AN ACT TO EXEMPT PISCATAQUA BRIDGE & C FROM TAXES—

[Approved December 27, 1798. Original Acts, vol. 16, p. 51; recorded Acts, vol. 11, p. 170.]

Whereas a petition has been prefer'd, to the General Court; stating, that Piscataqua Bridge is of great publick utility, and that the

Toll now receiv'd at said Bridge, is not sufficient to refund the proprietors the expence of building, and keeping the same in repair. and praying that said Bridge, Goat Island, and one Acre at each end of said Bridge, and the Buildings now appertaining thereto, may be exempted from Taxes, for the term of Forty Years. which appearing reasonable— therefore

Be it enacted, by the Senate, and House of Representatives, in General Court conven'd; that Piscataqua Bridge, Goat Island, and one Acre of Land at each end of said Bridge, and the Buildings now appertaining thereto; be and they hereby are exempted from Taxes, for the term of Forty Years from the passing this act, and no longer—

[CHAPTER 39.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AND ALTERATION OF THE MILITIA LAWS NOW IN FORCE IN THIS STATE.

[Approved December 27, 1798. Original Acts, vol. 16, p. 52; recorded Acts, vol. 11, p. 172. Laws, 1805 ed., p. 264.]

Sect. 1 Be it enacted by the Senate and House of Representatives in General Court convened, that the Militia laws of this State be so far altered as that where there now are, or hereafter may be any Company or Companies of Militia unorganized and where suitable Characters cannot be found within the limits of said Companies necessary for the organization of the same, the Field Officers within whose limits such Company or Companies are, may annex such persons as are liable to duty in the Train band to any organized Company or Companies contiguous thereto as may be most convenient, and the persons so annexed shall be liable to do duty and subjected to penalties in the same manner as though they were Officered by persons living within the particular Town or limits of a Company heretofore assigned.—

Sect. 2. And be it further enacted, That all Complaints against Commanding Officers of Companies for neglecting to call their Companies together as the Law directs shall be made to an Officer superior in Rank to him complained of, which Superior Officer shall be Judge of the Merits of the Complaint and the propriety of a prosecution; and in Case such Superior Officer shall judge that the Good of service may require it he and no other person may prosecute.—

[CHAPTER 40.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE A CERTAIN TRACT OF LAND KNOWN BY THE
NAME OF CAMPBELL'S GORE

[Approved December 27, 1798. Original Acts, vol. 16, p. 53; recorded Acts, vol. 11, p. 184.]

Whereas a Petition has been preferred by the Inhabitants of a certain Tract of land known by the name of Campbell's Gore in the County of Hillsborough, setting forth that they have been Subjected to paying their proportion of State and County Taxes and feel themselves willing to bare their Proportion of burthen, in peace and War, they therefore pray to be Incorporated into a Town by the Name of Windsor or any other name may be thought best, which prayer appearing reasonable.

Therefore,

Be it enacted by the Senate and house of Representatives in General Court convened, that the Lands and Inhabitants contained within that tract of land commonly known by the name of Campbell's Gore, in the County of Hillsborough and contained within the following bounds, to wit, on the North by the Town of Washington, on the East by the Town of Hillsborough, on the South by the Town of Antrim, and on the West by the Town of Stoddard; Be and they hereby are Incorporated into a Town by the name of Windsor, and the said Town of Windsor is hereby Invested with all the powers, privileges and Immunities to which other Towns in this State are, or may be Entitled, agreeable to the Constitution and Laws of this State to have continuance and Succession forever.

And be it Further enacted that Joshua Lovejoy Esq^r be and hereby is Authorized and empowered to warn a meeting of the Inhabitants of said Windsor by posting up Advertisements in said Town fourteen days previous to said meeting, and the said Joshua Lovejoy Esquire shall preside in said meeting till a Moderator shall be chosen for that purpose; And the annual meeting in said Town of Windsor shall be holden on the first Monday of March

[CHAPTER 41.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF
THE PROPRIETORS OF THE SOCIAL LIBRARY IN KENSINGTON—

[Approved December 27, 1798. Original Acts, vol. 16, p. 54; recorded Acts, vol. 11, p. 225.]

Be it enacted by the Senate and house of Representatives in General Court convened That Jeremiah Fogg Ebenezer Potter Jeremiah Bachelder Joseph Brown Enoch Worthen and Newill Healey and their Associates Proprietors of said Library, and all such as may hereafter become Proprietors of the Same be and they hereby are incorporated into a body politic by the Name of the Proprietors of the Social Library in Kensington, with continuation and Succession forever; and in that Name may Sue and be Sued in all Actions personal, and may prosecute and defend to final Judgment and Execution; and they are hereby vested with all the Privileges and powers incident to Corporations of a Similar Nature, and may enjoin Penalties of disfranchizement or fine not exceeding three dollars for each Offence to be recovered by said Society in an Action of debt to their Use in any Court in said State proper to try the Same, and they may purchase and receive Subscriptions grants and donations of personal Estate not exceeding the Sum of One Thousand dollars for the Benefit of their Association—

And be it further enacted that said Society Be and they are hereby Authorized to Assemble at Kensington aforesaid on the first Monday in May Annually to chuse all such Officers as may be found Necessary for conducting the Affairs of said Corporation Who shall continue in Office until Others are chosen in their Room: And the said Corporation may Assemble as often as may be found Necessary for the filling up any Vacancies that may happen in said Offices and for transacting all other business for the good of said Society except the raising of Money which shall always be done at the Annual Meeting and at No other time— At which Meeting they shall vote all such Sums as shall be necessary for defraying the Annual Expences for preserving said Library and for enlarging the Same; and shall make and enact Such Rules and By Laws for the Government of Said Corporation as may from time to time be thought necessary, provided not repugnant to the Constitution and Laws of this State—

And be it further enacted that Jeremiah Fogg and Ebenezer Potter or Either of them are hereby Authorized and empowered, to call the first Meeting of said Proprietors at such time and place in said Kensington as they may appoint by posting Up a Notification for

the Same at some public place in said Town at least Fifteen days before the Time of said Meeting and to preside in said Meeting until the Moderator is chosen, and the said Proprietors at said Meeting shall have all the Powers to enact all such By-Laws and chuse all such Officers as they may or can do at their Annual Meeting

[CHAPTER 42.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE NORTH HAMPTON LIBRARY

[Approved December 27, 1798. Original Acts, vol. 16, p. 55; recorded Acts, vol. 11, p. 229.]

Be it enacted by the Senate and House of Representatives in General Court convened that Moses Leavitt, Thomas Leavitt, John Fogg, Esquires, Samuel F. Leavitt, Moses Leavitt Jun^r, Levi Marston, Jonathan Hobbs and Ebenezer Leavitt and their Associates Proprietors of said Library and all such as may hereafter become proprietors of the same be and they hereby are incorporated into a body politic by the name of the Proprietors of the North Hampton Library with Continuation and Succession forever and in that name may sue and be sued in all personal Actions and may prosecute and defend the same to final Judgment, Execution and Satisfaction and they are hereby vested with all the powers and privileges incident to Corporations of a similar nature and may enjoin penalties of disfranchisement or fine not exceeding three Dollars for each offence to be recovered by said Proprietors in an Action of Debt to their use in any Court in this State proper to try the same and they may make purchase and receive Subscriptions, Grants and Donations of personal Estate not exceeding the sum of one thousand Dollars, including the books in said Library, for the purpose of their Association.

And be it further enacted that said Proprietors be and they hereby are authorised to assemble in North Hampton in the County of Rockingham and State aforesaid on the last Monday in May annually to choose all such Officers as may be found necessary for the orderly conducting the affairs of said Corporation who shall continue in office until others shall be chosen in their Room and said Corporation may assemble as often as may be found necessary for filling up any vacancies which may happen in said offices and for transacting all other business, excepting the raising of money which shall not be done except at an annual Meeting at which annual Meeting they are impowered to vote all such sums which shall be found necessary for defreying the annual expences of preserving

said library and for enlarging the same and may make and enact such Rules, Regulations and Bye-laws for the Government of said Corporation as may from time to time by them be found necessary provided the same be not repugnant to the Constitution and laws of this State

And be it further enacted that Thomas Leavitt Esquire is hereby authorised and impowered to call the first Meeting of said proprietors at such time and place as he may appoint by posting up a Notification expressing the time, place and design of said Meeting at the Meeting house in said North Hampton at least fifteen days before the time of holding said Meeting and the Proprietors at said Meeting may agree on the manner of calling future Meetings and shall have all the powers to make Rules, Regulations and Bye-laws and choose all officers as they may or can do at their annual Meeting.—

[CHAPTER 43.]

State of)
New Hampshire.)

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE MERRIMACK LIBRARY

[Approved December 27, 1798. Original Acts, vol. 16, p. 56; recorded Acts, vol. 11, p. 258.]

Be it enacted by the Senate and House of Representatives in general Court convened that Jacob Burnap Simeon Cummings and Samuel Foster and their asosiates proprietors of the said Library and all such as may hereafter become proprietors of the same be and they hereby are incorporated into a body politic by the name of the proprietors of the Merrimack Library with continuation and succession forever and in that name may sue and be sued in all personal actions and may prosecute and defend the same to final judgment and execution, and they are hereby vested with all the powers and previlidges incident to corporations of a similar nature and may enjoin penalties of disfranchisement or fine not exceeding Four dollars for each offence to be recovered by said sosociety in an action of debt to their use in any Court proper to try the same, and they may make purchase and receive subscriptions grants or donations of personal estate not exceeding one Thousand dollars for the purpose and use of their asosiation

And be it further enacted that said sosociety be and they hereby are authorised to assemble at Merrimack aforesaid on the Fourth Monday in September annually to choose all such officers as may be found necessary for the orderly conducting the affairs of said corporation who shall continue in office until others are chosen in

their room and that said corporation may assemble as often as may be found necessary for filling up any vacancies which may happen in said offices and for transacting all other business excepting the raising of monies which shall at all times be done at their annual meeting and at no other time, at which time they shall vote all necessary sums for defraying the annual expence of preserving said Library and for encreasing the same. And said corporation shall have power to make such rules and by laws for the government of said society as may from time to time by them be found necessary provided the same be not repugnant to the Constitution and Laws of this State

And be it further enacted that Solomon Danforth is hereby authorised and empowered to call the first meeting of said proprietors at such time and place as he may appoint by posting a notification for that purpose at the meeting house in said Merrimack at least fifteen days prior to said meeting, and the said proprietors at said meeting shall have the same power to choose officers and make by Laws as they have by this act at their annual meeting

[CHAPTER 44.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE SOCIAL LIBRARY IN CHICHESTER—

[Approved December 27, 1798. Original Acts, vol. 16, p. 57; recorded Acts, vol. 11, p. 263.]

Be it enacted by the Senate and House of Representatives in General Court convened, That Abraham True, Joshua Lane, Edmund Leavitt, Moses Seavey and John Morrill and their Associates Proprietors of said Library and all such as may hereafter become proprietors thereof be and they hereby are incorporated into a body politic by the name of the proprietors of the social Library in Chichester with Continuation and succession forever and in that name may sue and be sued in all personal actions and may prosecute and defend the same to final judgment and execution and they are hereby vested with all the powers and privileges incident to Corporations of a similar nature and may annex penalties of disfranchisement or fine not exceeding three dollars for any one offence to be recovered by said proprietors in an action of debt to their use in any Court in this State proper to try the same and they may purchase and receive subscriptions, Grants and Donations of personal Estate not exceeding one thousand dollars for the purpose of their association.—

And be it further enacted that said Proprietors be and they hereby

are authorised to assemble in said Town of Chichester on the first Monday of November annually to choose all such Officers as shall be found necessary for the orderly conducting the affairs of said Corporation who shall continue in Office until others are chosen in their Room and said Corporation may assemble as often as may be necessary for filling up any vacancies which may happen in said offices and for transacting all other business excepting the raising of Money which shall always be at an annual meeting and at no other time at which annual meeting they are impowered to vote all such sums of money as shall be found necessary for defreying the annual expence of preserving said Library and for enlarging the same and shall make and enact all such Rules, and Bye laws for the Government of said Corporation as may by them be found necessary provided the same be not repugnant to the Constitution and Laws of this State or of the United States—

And be it further enacted that Abraham True Esq^r is hereby authorised and impowered to call the first meeting of said proprietors at such time and place as he may appoint by posting up a notification at the meeting house in said Chichester at least fourteen days before the time of holding the same which notification shall express the time, place and design of said meeting and the proprietors at said meeting may agree on the manner of calling future meetings and shall have all the powers of making Rules, Regulations, and Bye-laws and to choose all Officers as they may or can do at their annual Meeting.

[CHAPTER 45.]

State of }
New Hampshire. }

AN ACT FOR TAXING LAND IN THE TOWN OF CHATHAM—

[Approved December 27, 1798. Original Acts, vol. 16, p. 58; recorded Acts, vol. 11, p. 301.]

Whereas a petition hath been prefer'd to the General Court, by the Inhabitants of Chatham, setting forth, that they labor under great inconveniences for want of roads, and being few in number, and not haveing had any help from the proprietors, prayed that a tax of two & one half cents per acre might be laid on all the lands in said Town (publick rights excepted) for the sole purpose of making roads through said Chatham; which appearing reasonable, therefore

Be it enacted by the Senate and House of Representatives in General Court convened, that Samuel Bradley— Isaac Waldron and Asa Eastman Esquires, be and they hereby are impowered to assess

a tax of two and an half cents per acre on each and every acre of land in said Chatham (publick rights excepted) for the term of one year; which taxes when raised to be applied to the purposes of laying out and makeing a road or roads through said Town—

And be it further enacted, that the said Samuel Bradley— Isaac Waldron & Asa Eastman Esq^r who shall assess the taxes, by virtue of this Act are hereby authorized and directed to make their warrant for the collection of the same; and the collector to whom said warrant shall be committed shall levy and collect the same with incidental charges, from the Lands of any delinquent owner, or owners, by sale of such part or parts of said land as shall be sufficient to discharge the same after giveing eight Weeks notice thereof, as also, of the time, and place of such intended sale, in the Newhampshire Gazette, and by posting up like advertisement in some public place in the town of Chatham the like term of time previous to such intended sale; and the Collector of such taxes is hereby authorized to make good and valid conveyances of such land so sold, savinge the same time for the redemption thereof, as non-resident proprietors are by law entitled to—

And be it further enacted, that the monies so raised in Chatham aforesaid shall be applied solely to the purposes herein mentioned by said Committee; they giving bond, in a reasonable sum, to the Clerk of the Court of Common Pleas for the County of Grafton, for the due application of all such monies which shall be assessed, levied and collected by virtue of this Act—

Provided nevertheless, that the Proprietors and owners of land in said Chatham shall have the liberty to pay their proportion of the assessments aforesaid in labor to be done on said roads between the fifteenth day of August and the last day of October in the Year One thousand seven hundred and ninety nine; and shall have four weeks notice for that purpose either personally, or in such way & manner as the Collector is directed in this Act—to give notice in case of sale of lands; which notice shall be given previous to the time in which said work is to be done, and the owner or owners who shall choose to work out said tax, shall do it under the direction of said Committee, and be allow'd six cents & no more, for every hours actual labor performed by an able bodied man finding his own tools and diet—

Provided also, that if the Proprietors of said Chatham shall on, or before the fifteenth day of July next, after passing this Act, raise seven Dollars upon each and every right in said Town of Chatham— (public rights excepted) and lay out the same; in makeing necessary roads therein, and at the same rate of labor as before stipulated, then this Act and every matter herein shall be void—

[CHAPTER 46.]

State of }
New Hampshire. }

AN ACT AGAINST GAMING AT BILLIARDS

[Approved December 28, 1798. Original Acts, vol. 16, p. 59; recorded Acts, vol. 11, p. 140. Laws, 1805 ed., p. 282; id., 1815 ed., p. 334; id., 1830 ed., p. 136.]

Be it enacted by the Senate and House of Representatives in General Court convened that any person or persons who shall at any time from and after the first day of February next have or keep in his, her or their Custody or Possession any Billiard Table shall forfeit and pay the sum of ten dollars with Costs of suit and the like sum for every time, as often as any such Billiard Table shall be found in his, her or their possession which forfeiture shall be recoverable by any person who shall first sue therefor in a plea of the Debt in any Court proper to try the same and the whole thereof shall be to the use of the person who shall recover upon any prosecution for the Breach of this Act.

[ORDERS, RESOLVES AND VOTES OF A LEGISLATIVE NATURE PASSED DURING THIS SESSION.]

1798, December 4.

The Committee appointed to consider of the propriety of classing the Towns of Middletown and Brookfield for sending a Representative to the General Court, and of all Similar matters reported that said Towns of Middletown and Brookfield be classed for the purpose of sending a Member to the General Court in future— which report was read and considered receiv^d & accepted—

[House Journal, 1794-99, p. 641. Senate Journal, 1797-1800, p. 200.]

1798, December 22.

Resolved that the Towns of New Chester and Danbury be classed to send a Representative and also the Towns of Bridgewater and Alexandria be classed to send a Representative to the General Court in future—

[House Journal, 1794-99, p. 661. Senate Journal, 1797-1800, p. 228.]

1798, December 26.

Resolved that the Senators and Representatives of this State in the Congress of the United states be and they hereby are requested to use their best endeavours that Congress propose to the Legislatures of the

Several states the following amendment to the Constitution of the United states—(viz)

That in Addition to the other qualifications prescribed by said Constitution no person shall be Eligible as President or vice President of the United states except a natural born citizen or unless he shall have been a Resident in the United states at the time of the declaration of Independance and shall have continued either to reside within the Same or to be employed in its service from that period to the time of his Election

Provided nevertheless that in case the Senators and Representatives of this State in Congress shall find that the amendment above proposed is not perfectly conformable to the Sentiments of a Constitutional majority of both branches of the national Legislature they are hereby impowered and requested so to modify the same as to meet the sentiments of such Majority

Provided however that any amendment which may be agreed upon shall exclude from the Office of President & vice President any person who is not a natural born citizen or a resident in the United states at the time of the Declaration of Independance as aforesaid and shall also exclude from a Seat in either branch of Congress, any person who shall not have been actually naturalized at the time of making this amendment and have been admitted a citizen of the United states fourteen years, at least at the time of such election—

Resolved that his Excellency the Governor be requested forthwith to transmit the Same to the Senators and Representatives of this State in Congress— And also transmit the Same to the Supreme Executive of the Several States—

[House Journal, 1794-99, p. 670. Senate Journal, 1797-1800, p. 237.]

1798, December 26.

Resolved that the Senators and Representatives of this state be and they hereby are requested to use their best endeavours that Congress propose to the Legislatures of the Several states the following amendment to the Constitution of the United states (viz) That the Electors of President and vice President in giving in their votes shall respectively distinguish the person whom they desire to be president from the one they desire to be vice president by annexing the words President or vice President as the case may require to the proper name voted for, And the person having the greatest number of votes for vice President if such number be a majority of the whole number of Electors chosen shall be vice President— And if there be no choice and two or more persons shall have the highest number of votes and those equal, the Senate shall immediately choose by ballot one of them, for vice President, and if no person have a majority then from the five highest on the list the Senate shall in like manner chuse the vice President— But in choosing the vice President the votes shall be taken by states, the Senators from each state having one vote; a quorum for this purpose shall consist of a Member or Members from two thirds of the states and a Majority of all the States shall be necessary to a choice And in case the Senators and Representatives of this State in Congress shall find that the aforesaid amendment is not conformable to

the Sentiments of a Constitutional majority of both branches of the National Legislature they are hereby requested so to modify the same as to meet the Sentiments of such majority— Provided however that any amendment which may be agreed upon shall oblige the Electors to designate the person they desire to be President from the one whom they desire may be vice President

Resolved further that his Excellency the Governor be and he is hereby requested to communicate the foregoing resolves to the Supreme Executive of the Several states and also to transmit the Same to the Senators and Representatives in Congress—

[House Journal, 1794-99, p. 671. Senate Journal, 1797-1800, p. 238.]

[EIGHTH GENERAL COURT.]

[*Held at Concord and Exeter, Two Sessions, June 5, 1799, to December 4, 1799.*]

[OFFICERS OF THE GOVERNMENT.]

JOHN TAYLOR GILMAN, GOVERNOR.
 JOSEPH PEARSON, SECRETARY.
 NATHANIEL PARKER, DEPUTY SECRETARY.
 OLIVER PEABODY, TREASURER.
 JOSHUA ATHERTON, ATTORNEY GENERAL.
 AMOS SHEPARD, PRESIDENT OF THE SENATE.
 JOHN PRENTICE, SPEAKER OF THE HOUSE.

[MEMBERS OF THE COUNCIL.]

James Sheafe,	Portsmouth.
Aaron Wingate,	Farmington.
Robert Wallace,	Henniker.
Samuel Stevens,	Charlestown.
Russell Freeman,	Hanover.

[MEMBERS OF THE SENATE.]

Moses Leavitt,	North Hampton.
Jeremiah Fogg,	Kensington.
Joseph Blanchard,	Chester.
Michael McClary,	Epsom.
William Hale,	Dover.
Nathan Hoit,	Moultonborough.
John Orr,	Bedford.
Henry Gerrish,	Boscawen.
Ephraim Hartwell,	New Ipswich.
Elisha Whitcomb,	Swanzy.
Amos Shepard,	Alstead.
Moses Baker,	Campton.

[MEMBERS OF THE HOUSE.]

Acworth,	William Grout.
Allenstown and } Bow, }	Enoch Noyes.
Alstead,	Oliver Shepard.
Alton. See New Durham.	
Amherst,	William Fisk.
Andover,	Joseph Philbrick.

Antrim and }	Jonathan Nesmith.
Windsor, }	
Atkinson and }	Humphrey Noyes.
Plaistow, }	
Barnstead,	Charles Hodgdon.
Barrington,	Isaac Waldron.
	Eliphalet Cloutman.
Bartlett. See Conway.	
Bedford,	Isaac Riddle.
Boscawen,	Joseph Gerrish.
Bow. See Allenstown.	
Bradford. See Fishersfield.	
Brentwood,	Jabez Smith.
Brookfield and }	William Chamberlain.
Middleton, }	
Brookline and }	Augustus Blanchard.
Milford, }	
Burton. See Tamworth.	
Campton. See Holderness.	
Canaan. See Orange.	
Candia,	Thomas Wilson.
Canterbury,	David McCrillis.
Charlestown and }	Samuel Stevens.
Langdon, }	
Chester,	Simon Towle.
Chesterfield,	Benjamin Haskell.
Chichester,	Nathaniel Morrill.
Claremont,	George B. Upham.
Cockburne. See Colebrook.	
Colebrook,	Abel Learned.
Cockburne,	
Shelburne,	
Wales Location and }	
Stewartstown,	
Concord,	Jacob Abbott.
Concord (Lisbon). See Lyman.	
Conway,	Richard Eastman.
Bartlett and }	
* Locations, }	
Cornish,	Ithamar Chase.
Coventry. See Haverhill.	
Croydon and }	Benjamin Barton.
Wendell, }	
Dalton,	Richard C. Everett.
Jefferson,	
Lancaster and }	
Littleton,	

Danbury.	See New Chester.	
Deerfield,		Joseph Mills.
Deering,		Robert Alcock.
Derryfield.	See Litchfield.	
Dorchester.	See Hebron.	
Dover,		Moses Wingate.
Dublin,		John Morse.
Dunbarton,		Joseph Leach.
Dunstable,		Frederick French.
Durham,		Ebenezer Thompson.
East Kingston.	See South Hampton.	
Eaton.	See Tamworth.	
Effingham and	}	Jacob Brown.
Ossipee,		
Enfield,		Jesse Johnson, Jr.
Epsom,		Josiah Sanborn.
Exeter,		Benjamin Connor.
Farmington,		Richard Furber.
Fishersfield and	}	John Burns.
Bradford,		
Fitzwilliam,		Nahum Parker.
Francestown,		Peter Farnum.
Franconia.	See Lyman.	
Gilmanton,		Samuel Shepard.
		Nehemiah Sleeper.
Gilsum.	See Surry.	
Goffstown,		John Butterfield.
Goshen.	See Unity.	
Grafton.	See Orange.	
Greenfield and	}	Joseph Herrick.
Society Land,		
Greenland,		Joshua Weeks.
Groton.	See Hebron.	
Hampstead,		John True.
Hampton,		Oliver Whipple.
Hampton Falls and	}	Peter Tilton.
Seabrook,		
Hancock,		William Brooks.
Hanover,		Samuel Slade.
Haverhill and	}	Moor Russell.
Coventry,		
Hawke and	}	Nathaniel Brown.
Sandown,		
Hebron,	}	William Cummings.
Groton and		
Dorchester,	}	

Henniker,	Aaron Adams.
Hillsborough,	Benjamin Pierce.
Hinsdale,	Seth Hooker.
Holderness, }	
Campton and }	Samuel Holmes.
Thornton, }	
Hollis,	Daniel Emerson.
Hopkinton,	Timothy Darling.
Philip Greeley was representative from Hopkinton during the	
December session.	
Jaffrey,	Abel Parker.
Jefferson. See Dalton.	
Keene,	Lockhart Willard.
Kensington,	Enoch Worthen.
Kingston,	Jacob Webster.
Lancaster. See Dalton.	
Langdon. See Charlestown.	
Lebanon,	Constant Storrs.
Lee,	Josiah Bartlett.
Lempster and }	Silas Mack.
Marlow, }	
Litchfield and }	John Stark, Jr.
Derryfield, }	
Littleton. See Dalton.	
Londonderry,	John Prentice.
	John Bell, Jr.
	John Drew.
Loudon,	
Lyman, }	Samuel Young.
Concord (Lisbon) and }	
Franconia, }	
Lyme,	Jonathan Franklin.
Lyndeborough,	Benjamin Jones.
Madbury,	John Wingate.
Marlborough,	Phineas Farrar.
Marlow. See Lempster.	
Mason,	Joseph Merriam.
Meredith,	Richard Boynton.
Merrimack,	Samuel Forster.
Middleton. See Brookfield.	
Milford. See Brookline.	
Moultonborough and }	Nathaniel Shannon.
Tuftonboro, }	
New Boston,	James Caldwell.
New Chester and }	Edward Blodgett.
Danbury, }	
New Durham and }	John Bennett.
Alton, }	

New Grantham.	See Springfield.	
New Hampton,		William B. Kelley.
Newington,		Ephraim Pickering.
New Ipswich,		Jeremiah Pritchard.
New London.	See Sutton.	
Newmarket,		James Hill.
Newport,		Uriah Wilcox.
Newton,		John Peak.
Northfield,		Reuben Whitcher.
North Hampton,		Joseph Dearborn.
Northumberland,	}	
Piercy and		Jeremiah Eames.
Stratford,		
Northwood,		Sherburne Blake.
Nottingham,		Jonathan Cilley.
Nottingham West,		Asa Davis.
Orange,	}	
Canaan and		Daniel Blaisdell.
Grafton,		
Orford and	}	
Wentworth,		Joseph Pratt.
Ossipee.	See Effingham.	
Packersfield,		Samuel Griffin.
Pelham,		James Gibson.
Pembroke,		Daniel Knox.
Peterborough,		John Smith.
Piercy.	See Northumberland.	
Piermont and	}	William Butler.
Warren,		
Plainfield,		Daniel Kimball.
Plaistow.	See Atkinson.	
Plymouth and	}	Josiah Brown.
Rumney,		
Poplin.	See Raymond.	
Portsmouth,		Nathaniel White.
		Eliphalet Ladd.
		Nathaniel A. Haven.
Raymond and	}	Ezekiel Godfrey.
Poplin,		
Richmond,		Moses Tyler.
Rindge,		William Gardner.
Rochester,		Levi Dearborn.
		William Palmer.
Rumney.	See Plymouth.	
Rye,		Joseph Parsons.

Salem,	Silas Betton.
Salisbury,	John C. Gale.
Sanbornton,	William Harper.
Sandown. See Hawke.	
Sandwich,	Ezekiel French.
Seabrook. See Hampton Falls.	
Society Land. See Greenfield.	
Somersworth,	James Carr.
South Hampton and } East Kingston, }	Eliphalet Webster.
Springfield and } New Grantham, }	Nathaniel Little.
Stewartstown. See Colebrook.	
Stoddard,	Nathaniel Emerson.
Stratford. See Northumberland.	
Stratham,	Nicholas Rollins.
Sullivan,	Samuel Seward.
Surry and } Gilsum, }	Zadock Hurd.
Sutton and } New London, }	Thomas Wadleigh.
Swanzy,	Calvin Frink.
Tamworth, } Eaton and }	David Gilman.
Burton, }	
Temple,	Ebenezer Edwards.
Thornton. See Holderness.	
Tuftonboro. See Moultonboro.	
Unity and } Goshen, }	Josiah Moody.
Wakefield,	David Copp.
Wales Location. See Colebrook.	
Walpole,	Samuel Grant.
Warner,	Joseph Bartlett.
Warren. See Piermont.	
Washington,	Thomas Penniman.
Weare,	Jabez Morrill.
Wendell. See Croydon.	
Wentworth. See Orford.	
Westmoreland,	Ezra Pierce.
Wilton,	Philip Putnam.
Winchester,	Samuel Smith.
Windham,	John Dinsmoor.
Windsor. See Antrim.	
Wolfeboro,	Henry Rust, Jr.

* The locations represented were as follows:

Thos Chadbourne's	Francis Green's
Goffe's	Samuel Stark's
M. H. Wentworth's	Rindge's & Pierce's
Rogers' & Treadwell's	Vere Royse's
Sterling's	W. Stark's
Martin's	Philip Bayley's
Sherburne's & others	Hobert Furniss'
Theophilus Dame's	Samuel Gilman's
John Hurd's	M'Millans
Stephen Holland's	David Gilman's
Archibald Stark's	Gridley's
Samuel Hale's	Gray's

[*First Session, Held at Concord, June 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 1799.*]

[CHAPTER 1.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE SOCIAL LIBRARY IN HOLLES

[Approved June 12, 1799. Original Acts, vol. 16, p. 60; recorded Acts, vol. 12, p. 20.]

Be it enacted by the Senate and House of Representatives in General Court convened that the Rev^d Daniel Emerson, the Rev^d Eli Smith, Noah Worcester and Daniel Emerson Jun^r Esquires and their Associates proprietors of said Library and all such as may hereafter become proprietors of the same be and they hereby are incorporated into a Body politic by the Name of the Proprietors of the Social Library in Holles with Continuation and Succession forever and in that Name may sue and be sued, may prosecute and be prosecuted and defend the same to final judgment and execution, and they are hereby vested with all the powers and privileges incident to Corporations of a similar nature and may enjoin penalties of disfranchisement or fine not exceeding four dollars for each offence to be recovered by said proprietors in an action of Debt to their use in any Court in this State proper to try the same:— And they may make purchase, and receive subscriptions, grants and donations of personal Estate not exceeding the sum of one thousand dollars including the Books in said Library for the purpose of their association.

An be it further enacted that said Proprietors be and they hereby are authorised to assemble in said Town of Hollis on the second Monday of November annually to choose all such Officers as may be found necessary for the orderly conducting the affairs of said Corporation who shall continue in office until others are chosen in their room, and said Corporation may assemble as often as may be found necessary for filling up any vacancies which may happen in said Offices and for transacting all other business excepting the raising of money which shall not be done except at an annual meeting at which annual meeting they are empowered to vote all such sums which shall be found necessary for defraying the annual expence of preserving said Library and for enlarging the same, and shall make and enact all such Rules, Regulations and Bye-laws for the Government of said Corporation as may from time to time by them be found necessary provided the same be not repugnant to the Constitution and Laws of this State or of the United States.

And be it further enacted that Noah Worcester and Daniel Emerson Jun^r Esquires or either of them are hereby authorised and empowered to call the first meeting of said Proprietors at such time and place as they may appoint by posting up a notification expressing the time, place and design of said meeting at the School-house near the meeting house in said Town at least ten days prior to the time of holding said meeting and the Proprietors at said meeting may agree on the manner of calling meetings in future and shall have all the powers to make Rules, Regulations and Bye-laws and choose all Officers as they may or can do at their annual meeting.

[CHAPTER 2.]

State of)
New Hampshire.)

AN ACT TO DIVIDE THE TENTH REGIMENT OF MILITIA IN SAID STATE.

[Approved June 12, 1799. Original Acts, vol. 16, p. 61; recorded Acts, vol. 12, p. 24. Laws, 1805 ed., p. 248.]

Be it enacted by the Senate and House of Representatives in General Court convened that the Companies in Gilmanton (except the first Company) shall form a first Battalion, that the first Company in Gilmanton and the Companies in Barnstead shall form a second Battalion which shall constitute the tenth Regiment.—That the Companies in Sanbornton shall form a first Battalion, that the Companies in Meredith, New Hampton and Center Harbour shall form a second Battalion which shall constitute the twenty ninth Regiment any law to the contrary notwithstanding.—

[CHAPTER 3.]

State of }
New Hampshire. }

AN ACT FOR THE DIVISION OF THE TWENTY FIRST REGIMENT OF
MILITIA IN SAID STATE—

[Approved June 13, 1799. Original Acts, vol. 16, p. 62; recorded Acts, vol. 12, p. 26. Laws, 1805 ed., p. 248.]

Be it enacted by the Senate and House of Representatives in General Court convened that the Companies in the Towns of Boscawen and Hopkinton shall form a first Battalion, the Companies in the Towns of Salisbury and Andover form a second Battalion which shall constitute the twenty first Regiment: And the Companies in the Towns of Warner, Bradford and Keasarge Gore form a first Battalion and the Companies in the Towns of Fishersfield, New London and Sutton form a second Battalion which shall constitute the thirtieth Regiment; any law to the contrary notwithstanding

[CHAPTER 4.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE
PROPRIETORS OF THE SOCIAL LIBRARY IN WESTMORELAND

[Approved June 14, 1799. Original Acts, vol. 16, p. 63; recorded Acts, vol. 12, p. 44.]

Be it enacted by the Senate and House of Representatives in General Court convened that the Rev^d Allen Pratt, Apheus Moore, Joseph Buffum and Ezra Peirce and their Associates Proprietors of said library and all such as may hereafter become Proprietors of the same, be and they hereby are incorporated into a body politic by the name of the Proprietors of the Social-library in Westmoreland with Continuation and succession forever and in that name may sue and be sued in all personal actions and may prosecute and defend the same to final judgment and execution and they are hereby vested with all the powers and privileges incident to corporations of a similar nature and may enjoin penalties of disfranchisement or fine not exceeding three dollars for each offence, to be recovered by said Society in an action of debt to their use in any Court proper to try the same, and they may make purchase, and receive subscriptions grants and donations of personal estate not exceeding one thousand dollars, including the Books in said Library, for the purpose and use of their association.

And be it further enacted that said Society be and they hereby are authorised to assemble at Westmoreland aforesaid on the first Wednesday of January annually to choose all such Officers as may be found necessary for the orderly conducting the affairs of said Corporation who shall continue in office until others are chosen in their room; and that said Corporation may assemble as often as may be found necessary for filling up any vacancies which may happen in said Offices, and for transacting all other business excepting the raising monies which shall be always done at their annual meeting and at no other time at which time they shall vote all necessary sums for defreying the annual expence of preserving said Library and for enlarging the same.—And said Corporation shall have power to make such Rules, Regulations and Bye-laws for the Government of said Society as may from time to time by them be found necessary provided the same be not repugnant to the Constitution or Laws of this State or of the United States.—

And be it further enacted that Alpheus Moore and Ezra Peirce or either of them are hereby authorised and impowered to call the first meeting of said proprietors at such time and place as they may appoint by posting a notification for that purpose, specifying the time, place and design of said meeting, at the meeting house in said Westmoreland at least ten days prior to said meeting and the said proprietors at said meeting shall have the same power to choose officers and make Rules, Regulations and Bye-laws as they have by this Act at their annual meeting.

[CHAPTER 5.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE ANDREW TRACEY AND OTHERS BY THE NAME OF THE CONGREGATIONAL SOCIETY IN CORNISH.

[Approved June 14, 1799. Original Acts, vol. 16, p. 64; recorded Acts, vol. 12, p. 48.]

Be it enacted by the Senate and House of Representatives in General Court Convened That Andrew Tracey, Lemuel Tracey, Elias Martindale, James Gage, Philip Taber, Joshua Wyman, Ichabod Smith Jun^r, Jacob Whipple, William Choat, Joseph Smith, James Hunter, Asa Coburn, Thomas Williams, Timothy Hall, Samuel Whidden, Dudley Coburn, Thomas Luey, Edward Kimball, Simeon Butterfield, Moody Chase, Clement Chase, Josiah Stone, Stephen Barker, Reuben Gerold, William Ripley, Daniel Chase, James Ripley, Ebenezer Cobb, David Davis, Benjamin Cummings, Eliphalet Kimball Jun^r, Moody Hall, Jonathan Bingham, Nathan

Ran, David Smith, Nathaniel Huggins, Aaron Harington, Thomas Huggins, Ebenezer Martindale, Lovel Kimbal, Elisha Herrick, Jabez Spicer, Hezekiah Fitch, Samuel Fitch, Samuel Bartlett, Samuel Wickwire, Benjamin Smith, William Bartlett, Thomas Hall and Samuel Paine and their Associates, with such others as may hereafter join, be and they hereby are made and erected into a body corporate and politic forever by the name of the Congregational Society in Cornish for the purpose of supporting the Gospel Ministry and building a Meeting-house, and by that name may sue and prosecute and be sued and prosecuted to final judgment and Execution: And shall be and hereby are vested with all the powers and privileges which are by law incident to Corporations of a similar nature.

And be it further enacted, That Andrew Tracey and Eliphalet Kimball Jun^r or either of them may call the first meeting of said society at such time and place as they may appoint by posting up a notification at the center meeting house in said Cornish in which notification shall be inserted the articles to be acted upon in said meeting at least fourteen days before the time of holding said meeting at which meeting the Society or a major part of them shall choose a Clerk and all other necessary officers for transacting Parish affairs who shall be sworn to the faithful discharge of their duty, and may agree upon any method of calling their future annual meetings at which meetings they may raise such sums of money as may to them appear necessary to defrey the annual expence of said society, which money so to be raised shall be assessed on the members of said society agreeable to the Inventory taken by the Selectmen for that year, and may agree upon and establish such Rules, Regulations and Bye-laws as they shall judge proper; provided they are not repugnant to the Laws and Constitution of this State.

And be it further enacted, That the Clerk of said Society on the application of ten or more persons belonging to said Society, setting forth in writing the business they wish to have transacted, shall call a meeting for said purpose by posting up a notification as aforesaid, at which meeting the society may transact any business relating to said society that may be expressed in the aforesaid notification.—

[CHAPTER 6.]

State of }
New Hampshire. }

AN ACT FOR ALTERING THE TIME OF HOLDING THE ANNUAL TOWN MEETING IN KEASARGE GORE IN THE COUNTY OF HILLSBOROUGH.

[Approved June 14, 1799. Original Acts, vol. 16, p. 65; recorded Acts, vol. 12, p. 56.]

Be it enacted by the Senate and House of Representatives in General Court convened, That from and after the passing of this Act, the time of holding the annual Town Meeting in said Keasarge Gore shall be on the first Monday of March any Law, Usage or Custom to the contrary notwithstanding.—

[CHAPTER 7.]

State of }
New Hampshire. }

AN ACT SUSPENDING IN CERTAIN CASES THE OPERATION OF AN ACT ENTITLED "AN ACT FOR THE LIMITATION OF ACTIONS AND FOR PREVENTING OF VEXATIOUS SUITS PASSED THE SIXTEENTH DAY OF JUNE ONE THOUSAND SEVEN HUNDRED & NINETY ONE

[Approved June 14, 1799. Original Acts, vol. 16, p. 66; recorded Acts, vol. 12, p. 58. Laws, 1805 ed., p. 139; id., 1815 ed., p. 168. The act referred to was passed June 16, 1791, Laws of New Hampshire, vol. 5, p. 769. See acts of December 6, 1796, Laws, 1805 ed., p. 137; June 18, 1798, id., p. 138; December 30, 1799, id., p. 139; June 19, 1805, Laws, 1815 ed., p. 169; June 22, 1814, id., p. 170.]

Be it enacted by the Senate and house of Representatives in general Court convened, that the several periods specified in said act shall be computed from the first day of April one thousand seven hundred and ninety four instead of from the first day of July, one thousand seven hundred and ninety one, as expressed in said act.—

Provided nevertheless that this act shall not be construed to affect any judgment or decision of any Court heretofore rendered by virtue of said act

[CHAPTER 8.]

State of }
New Hampshire. }

AN ACT TO PREVENT UNDUE INFLUENCE, AND FRAUD IN TOWN MEETINGS, AND IN THE CHOICE OF TOWN AND STATE OFFICERS.

[Approved June 14, 1799. Original Acts, vol. 16, p. 67; recorded Acts, vol. 12, p. 59. Laws, 1805 ed., p. 205; id., 1815 ed., p. 249. Repealed by the act of June 26, 1827, id., 1830 ed., p. 446.]

Be it enacted by the Senate and House of Representatives in General Court convened, That if any person or persons at any Town or district Meeting within this State, legally warned, to transact the business thereof, in the Choice of any Town, County or State Officer, or Representative for such Town, or District, or for Representatives to Congress shall hereafter put into any Box or hat or cause to be received for the purpose of being counted, or cause to be counted in any other way or manner in said meeting, more than one Vote at any one Balloting for any such Officer or Representative, or for any Candidate for any Town, County, State Officer or Representative as aforesaid usually chosen by Ballot, on Conviction thereof, he or they shall forfeit and pay, for each and every such Vote so put in or cause to be counted in any other manner more than such person is intitled to by Law, the sum of six Dollars to be recovered by Bill, Plaint or Information or Suit before any Court, proper to try the same, in the County where such Offence is committed, one moiety thereof to and for the use of the Town or Parish where the Offender is an Inhabitant, the other moiety to the use of the Informant or Person who will sue for the same with full Costs.

And be it further enacted, That if any Moderator Selectman or Selectmen, whose Business it is by law to preside at any such Town or District Meeting within this State shall knowingly and fraudulently receive and count any such Vote so illegally and fraudulently put in by any Person whomsoever, for the Choice of any Town, County, State Officer, or Representative as aforesaid; or shall wittingly, knowingly or fraudulently imbezzle from, or add any Vote to the number of Votes legally given, in such Meeting, for the Choice of any Town, County, State Officer or Representative as aforesaid, usually chosen by Ballot he or they shall on Conviction thereof forfeit and pay for each and every Vote so received and counted, embezzled or added, the sum of forty Dollars, to be recovered and distributed in the same manner, form and proportion as above, in this Act, is directed.

And be it further enacted, That if any Moderator, Selectman or Selectmen presiding at any Town, or District Meeting in this State,

for the Choice of any Town or District Officers, or any County or State Officers or Representatives to Congress, usually chosen by Ballot, shall receive and count any Vote given at said Meeting by Proxy and without the personal Delivery of such Vote by the Person entitled to give the same, on Conviction thereof, he or they shall forfeit and pay for each and every Vote so received and counted the sum of twenty Dollars to be recovered and distributed in like manner as aforesaid. And it shall be the duty of the Town Clerk in every Town in this State at the opening of every Town or District Meeting when and where any of the foregoing Officers are to be chosen and before the Business of such Meeting is entered upon to read or cause to be read the foregoing Act in said Meeting.

[CHAPTER 9.]

State of }
New Hampshire. }

AN ACT TO IMPOWER THE REPRESENTATIVES OF THE GENERAL COURT FROM THE COUNTY OF GRAFTON TO FORM THEMSELVES INTO A CONVENTION FOR THE PURPOSE OF GRANTING AND APPROPRIATING A COUNTY TAX.

[Approved June 14, 1799. Original Acts, vol. 16, p. 68; recorded Acts, vol. 12, p. 68. See the act of June 20, 1798, recorded Acts, vol. 11, p. 109.]

Whereas the Representatives of the County of Grafton aforesaid have stated to this Court that they have received a statement from the Treasurer of said County informing them that a County tax is necessary to be granted by them in Convention at the present Session of the General Court, and assessed by the Treasurer thereof on the several Towns, Locations and unincorporated Places in said County the present year to meet the demands against said Treasurer and to defrey the common Expences of said County: And whereas the Judges of the Court of Common Pleas for said County did not in the common Course of law lay a statement of the Treasury before said Representatives so as to enable them to judge of the necessity of granting a tax at the last Session of the General Court.—Therefore

Be it enacted by the Senate and House of Representatives in General Court convened That the Representatives aforesaid are hereby authorised and empowered to meet in Convention in the Town of Concord any time in the present Session of the General Court for the sole purpose of granting and appropriating a tax if they think necessary; and they may at such Convention choose a Chairman, and appoint and swear some person as a Clerk who shall keep a true Record of all matters and things done at said Convention and may adjourn from time to time until the Business be

completed; and the tax which shall be voted by such Convention or a major part thereof attending, shall be good and valid in law, and may be assessed and collected by the County Treasurer in the same way and manner as taxes which have been heretofore granted by Conventions of the members of the several Counties when met in Convention as by law they might or could do. And the Collectors of the several Towns and places in said County of Grafton are hereby impowered and directed, to proceed in the same way and manner in the Collections of the taxes arising by virtue of this Act, and committed to them to collect, as they are by law directed to do in the Collection of State and County taxes (except delivering a Copy of the list of Non Resident taxes to the Deputy Secretary on or before the eighth day of the next Session of the General Court after the assessment thereof) which Copy shall be delivered to the Deputy Secretary on or before the eighth day of the Session of the General Court to be holden in June in the Year of our Lord one thousand and eight hundred.—

And be it further enacted that said Convention when met as aforesaid, are hereby impowered to make any order that they may think expedient as to the time when said tax or any part thereof shall be paid into said County Treasury, and also to direct the Treasurer when to issue his extents against delinquent Collectors, who shall take notice and govern himself accordingly.

[CHAPTER 10.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE JOHN PEIRCE, JACOB SHEAFE AND REUBEN SHAPLEY AND OTHERS INTO A COMPANY BY THE NAME OF THE NEW HAMPSHIRE INSURANCE COMPANY.

[Approved June 15, 1799. Original Acts, vol. 16, p. 69; recorded Acts, vol. 12, p. 28.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened that the said John Peirce, Jacob Sheafe and Reuben Shapley and all such persons as shall become Stock holders in said Company being Citizens of the United States be and they hereby are incorporated into a body politic by the name of The New Hampshire Insurance Company and by that name may sue or be sued, plead or be impleaded, appear, prosecute and defend to final judgment and execution and have a common Seal which they may alter at pleasure and may purchase, hold and convey any estate real or personal for the use of said Company subject to the restrictions herein after mentioned.

Sec. 2. And be it further enacted that a Share in the Capital Stock of the said Company shall be four hundred Dollars and the number of Shares shall not be less than one hundred nor more than one thousand. And the whole capital Stock, Estate or Property which the said Company shall be authorised to hold shall never exceed four hundred thousand Dollars exclusive of premium, notes or profits arising from said business of which Capital Stock or Property twenty thousand Dollars only shall be vested in real estate

Sec. 3. And be it further enacted that the Stock, property, affairs and concerns of the said Company shall be managed and conducted by nine Directors one of whom shall be President of said Company who shall hold their Office for one year and until others shall be chosen and no longer which Directors shall at the time of their election be Stock holders and Citizens of this State, and shall be elected on the first Monday of January in each and every year at such times of the day and at such place in the Town of Portsmouth as a majority of the Directors shall appoint of which election public notice shall be given in some news paper printed in said Town of Portsmouth ten days at least previous to the time of such election and such election shall be holden under the inspection of three Stock holders not being directors to be appointed by a majority of the directors then present and shall be made by ballot by a majority of votes of the Stock holders present allowing one vote to each Share in the Capital Stock provided that no one Stock holder shall be allowed more than ten votes and the Stock holders not present may vote by proxy under such regulations as the directors shall prescribe and in case it shall so happen that by any unavoidable accident the said Directors shall not be chosen on the first Monday of January as aforesaid it shall be lawful to choose them on an other day of which notice shall be given in the manner above provided—

Sec. 4. And be it further enacted that the Directors so chosen shall meet as soon as may be after every election and shall choose out of their body one person to be President who shall be sworn faithfully to discharge the duties of his office and shall preside until the next annual election of Directors and until an other shall be chosen and in case of the death, resignation or inability to serve of the President or any of the Directors such vacancy shall be filled for the remainder of the year in which they may happen by a special election for that purpose to be holden in the same manner as is herein before directed respecting annual elections for Directors and President.

Sec. 5. And be it further enacted that the President and four of the Directors, or five Directors in the absence of the President shall be a board competent for the transaction of any business of said Company and all questions before them shall be decided by a

majority of votes and they shall have power to make and prescribe such Bye-laws, Rules and Regulations as to them shall seem needful and proper touching the management and disposition of the stock, property, estate and effects of said Company and the manner of holding and transferring of the Shares and touching the duties and conduct of the several officers, clerks and servants employed and the election and qualifications of Directors and all such matters as appertain to the business of insurance and concern said Company and shall also have power to appoint a Secretary and so many Clerks and servants for carrying on said business with such salaries and allowances to them and to the President as to the said Board shall seem meet; Provided that such Bye laws Rules and Regulations shall not be repugnant to the Constitution or laws of this State.

Sec. 6. And be it further enacted that there shall be stated meetings of the Directors at least once in every month and as often within each month as the President and Board of Directors shall deem proper and the President and a Committee of two Directors to be by him appointed as nearly in rotation as circumstances and convenience will permit shall assemble daily if need be for the dispatch of business. And the said Board of Directors, the President and the Committee aforesaid at and during the pleasure of the said Board, or in the absence of the President said Committee during the pleasure of said Board shall have power and authority on behalf of the Company to make insurance upon vessels, goods, effects and freight and against captivity of persons and on the life or lives of any person or persons and in cases of money lent on bottomry and Respondentia and on houses buildings and other property against fire and in all cases where Insurance may be lawfully made and to fix the premiums and terms of payment. And all policies of Insurance by them made or directed to be made shall be subscribed by the President or in case of his death, sickness, inability or absence by any two of the Directors and countersigned by the Secretary or in case of his death, sickness, inability or absence by any one of the Directors who did not sign the same and shall be binding and obligatory upon the said Company and have the like force, effect and construction as similar policies made and subscribed by private and individual underwriters; and the assured may thereupon maintain an action upon the Case against the said Company, and all losses duly arising under any policy so subscribed as aforesaid may be adjusted and settled by the President and Board of Directors.

Sec. 7. And be it further enacted that it shall be the duty of the Directors twice in each year at such times as they shall fix to make dividends of so much of the interest arising from the capital stock and the profits of said Company as to them shall appear adviseable; but the monies received and notes or securities taken

for premiums on risques which shall be undetermined and outstanding at the time of making such dividends shall not be considered as part of the profits of said Company.—And in case of any loss or losses whereby the capital stock of the Company shall be lessened the Directors shall make an equal assessment on each of the shares sufficient to make up and supply such deficiency and fix the time or times for the payment of the same and if such assessment shall not be duly paid on any share or shares the Directors may cause such share or Shares to be sold after having been duly advertised and out of the proceeds of such sale pay the assessment on such share or shares and the expence of sale and the residue of the money arising from such sale shall be paid to the owner or owners of such share or shares and after such loss or losses no dividend shall be made until a sum equal to such diminution shall have been added to the capital of said Company.—And once in every three years and oftener if required by a majority of the votes of the Stock holders the Directors shall lay before the Stock holders at a general meeting an exact and particular statement of the profits if any there be after deducting losses and dividends.

Sec. 8.—And be it further enacted that the said Company shall not directly or indirectly deal or trade in buying or selling any goods, wares or merchandize whatsoever and the Capital stock of said Company shall be vested either in the funded debt of the United or in the debt of this State or in the Stock of the United States bank or of any incorporated Bank in the United States or in any good, sufficient and satisfactory security bearing an interest of not less than six per Cent per Annum at the direction of the President and Directors.

Sec. 9.—And be it further enacted that the amount of each share shall be paid at such instalments at such times and in such manner and under such penalties as the President and Directors shall prescribe and direct and no transfer of any share in said Company shall be permitted or be valid until all the instalments on such share shall have been paid.

Sec. 10.—And be it further enacted that the property of any member of said Company vested in the Stock of said Company shall be liable to attachment and to the payment and satisfaction of his just debts to any of his bona Fide creditors in manner following viz^t in addition to the summons by law prescribed to be left with the Defendant a like summons shall be delivered to the Secretary of said Company and in case of his death or absence to the President and such debtors share in the Stock of said Company together with the interest and profits due and growing thereon or so much thereof as shall be sufficient shall thereby be held to respond the judgment recovered on said suit in the same manner as other personal property attached is by law held and execution may be levied upon the share or shares which any debtor or debtors

hold in the stock of said Company and the same may be sold in the same manner as is by law prescribed where personal estate is taken in execution; and it shall be the duty of the Officer serving such execution at the time he shall levy the same on such share or Shares to deliver to the Secretary and in case of his death or absence to the President a copy of such execution with a certificate thereon that he has so levied the same on such debtors share or shares and the same shall be held from the time of the delivery of such copy in the same manner that other personal estate taken on execution is by law holden and such officer shall as soon as may be after the sale of such share or shares deliver to the Secretary or in case of his death or absence to the President an other copy of such execution with his doings indorsed thereon and by him attested and the purchaser shall thereupon be entitled to such Debtor's share or shares and the reception of all dividends and profits which belonged to such debtor at the time of such attachment levy or sale; and it shall be the duty of the Secretary to enter and note in the records or books of said Company all such summons and copies of Executions so delivered as aforesaid and the time of the delivery of the same: And no transfer of any debtor's share so attached or taken in execution as aforesaid shall be valid to convey the same unless such transfer was noted in the Books of said Company previous to the delivery of such summons or copy of such execution. And it shall be the duty of the Secretary if requested to make out and deliver to the officer who delivers such summons or copy of such execution a certificate under his hand ascertaining the number of shares such debtor holds in said Company and the amount of the dividends thereon made and due.—

Sec. 11. And be it further enacted that if after any loss or losses shall have taken place equal to or greater than the amount of the Capital Stock of said Company the President or any of the Directors after it shall be known and ascertained by him or them that such loss or losses have taken place shall on behalf of said Company subscribe to any policy or policies of Insurance the estate of the President so subscribing and the estates of the Directors so subscribing shall in such cases be held and be accountable for the amount of any and every loss that shall take place under any policy or policies thus subscribed.—

Sec. 12— And be it further enacted that the President and Directors of said Company shall when and as often as required by the Legislature of this State lay before them a Statement of all the affairs and concerns of said Company. And that it shall be in the power of the said Legislature if they see cause at any time after the expiration of eighty years from the passing hereof to repeal this act and abolish said Company.—

Sec. 13. And be it further enacted that subscriptions for shares in the Stock of said Company may be made under the joint direc-

tion of the said John Peirce, Jacob Sheafe and Reuben Shapley and as soon as subscriptions are received for one hundred shares they or any two of them are hereby authorised to call a meeting of the subscribers at some place in said Portsmouth by advertising the same in some Newspaper printed in said Portsmouth ten days at least previous to the time of such meeting for the purpose of choosing Directors and a majority of such subscribers who shall meet according to such advertisement shall under the inspection of the said John Peirce, Jacob Sheafe and Reuben Shapley or any two of them by ballot having reference to the number of shares by each subscribed as is above provided for the voting of the Stock holders elect a first Board of Directors who shall continue in office until the first Monday of January one thousand and eight hundred and until others shall be elected and no longer.

Provided that nothing herein contained shall be construed to exempt any of the Shares in said Company from taxation.

[CHAPTER 11.]

State of }
New Hampshire. }

AN ACT FOR THE BETTER REGULATION OF SCHOOLS WITHIN THIS STATE AND FOR REPEALING ALL THE LAWS NOW IN FORCE RESPECTING THE SAME

[Approved June 15, 1799. Original Acts, vol. 16, p. 70; recorded Acts, vol. 12, p. 52. See act of December 13, 1804, Laws, 1805 ed., p. 295, which repeals all former acts about regulation of schools. See also act of December 22, 1808, Laws, 1815 ed., p. 368.]

Sect. 1. Be it enacted by the Senate and house of Representatives in general Court convened, that the Selectmen of the several Towns, parishes and places within this State be, and they hereby are empowered and required to assess annually the Inhabitants of their respective towns parishes and places according to their polls and rateable estates, together with the improved lands and build-ings of Nonresidents, in a sum to be computed at the rate of Thirty five Dollars for every one Dollar of their proportion for public taxes for the time being and so for a greater or lesser sum, which sums when collected shall be applied to the sole purpose of keeping an english Grammar School, or Schools for teaching reading, writing and arithmetic within the Towns, parishes and places for which the same shall be assessed, except said Town be a shire, or half shire Town, or in which a judicial Court be annually holden, in which case the School by them kept shall be a Grammar School for the purpose of teaching the latin and greek languages as well as reading writing and Arithmetic as aforesaid

Sect. 2. And be it further enacted, that no person shall be deemed qualified to keep any such School unless he produce a certificate from some able and reputable School master and learned Minister of the Gospel, or preceptor of some Academy or president or tutor of some College, that he is well qualified to keep such School

Sect. 3. And be it further enacted that if the Selectmen of any Town Parish or place neglect to raise and appropriate for the aforesaid purposes, the money required by this act to be by them assessed, collected and appropriated, such Selectmen shall forfeit and pay the full sum which they shall be found delinquent in assessing, seasonably collecting and duly appropriating; which sum shall be recovered by bill, plaint or information, in any Court proper to try the same, and when recovered shall be appropriated to the purpose of keeping a School in the Town where such delinquency shall happen, which sum shall be paid out of the Goods and estate of such Selectmen, and it shall be the duty of the Town Clerk, for the time being, of the respective Towns parishes or places to see that the sums recovered of such delinquent Selectmen be appropriated agreeably to the true intent and meaning of this act

Sect. 4. And be it further enacted that this Act shall not be construed to extend to the unimproved lands of nonresidents: And the operation thereof be suspended until the first day of March next. Provided nevertheless no Certificate heretofore obtained shall be considered valid after the passing of this Act

Sect. 5. And be it further enacted that all the laws heretofore made respecting the regulation of Schools be and they hereby are repealed—

[CHAPTER 12.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF THE MEMBERS OF CONCORD MUSICAL SOCIETY—

[Approved June 15, 1799. Original Acts, vol. 16, p. 71; recorded Acts, vol. 12, p. 64.]

Be it Enacted by the Senate and House of Representatives in General Court Convened, that Timothy Walker, Timothy Chandler, John Odlin, Amos Abbot Jun^r, Thomas Stickney Jun^r, and their associates Members of Said Society and all such as may hereafter become Members of the same, be and they are hereby Incorporated into a body politic by the Name of the Members of Concord Musical Society with Continuation and Succession forever—and in that name may sue and be sued in all actions personal, and

may prosecute and Defend the same to final Judgment and Execution—And they are hereby Vested with all the powers and privileges incident to Corporations of a Similar Nature—And may enjoin penalties of Disfranchisement or fine not exceeding four Dollars for each offence to be recovered by said Society in an action of Debt to their use, in any Court proper to try the same—and they may make purchase and receive subscriptions, Donations, and Grants of Personal Estate, not exceeding one thousand Dollars, for the purpose and use of their association—

And Be it Further Enacted that said Society be and they are hereby authorised to assemble at Concord aforesaid on the Second Tuesday of September Annually, to Chose all such Officers as may be found necessary for the orderly conducting the affairs of said Corporation, who shall continue in office until others shall be chosen in their room—and that said Corporation may assemble as often as may be found necessary, for filling up any vacancies, which may happen in said offices, and for transacting all other business, except the raising of Monies, which shall be always done at the annual Meeting, and at no other time, at which time they shall vote all Necessary sums for defraying the annual expences of said Corporation and for increasing the same—And said Corporation shall have power to make such Rules and by Laws for the Government of said Society as may from time to time by them be Found necessary—Provided the same be not repugnant to the Constitution and Laws of this State—

And Be it Further Enacted, that Timothy Walker and Timothy Chandler or either of them are hereby authorised and empowered, to call the first Meeting of said Society, at such time and place, as they may appoint, by posting a Notification for that purpose at the Meeting house Door, in said Concord, at least fifteen Days prior to said Meeting—And the said Members at said Meeting, shall have the same power to Choose Officers, and make by Laws, as they have by this act at their annual Meeting—

[CHAPTER 13.]

State of }
New Hampshire. }

AN ACT EMPOWERING THE INHABITANTS OF THE TOWN OF PORTSMOUTH TO APPOINT HEALTH OFFICERS, AND FOR PREVENTING NUISANCES IN SAID TOWN—

[Approved June 15, 1799. Original Acts, vol. 16, p. 72; recorded Acts, vol. 12, p. 72. Laws, 1805 ed., p. 309; id., 1815 ed., p. 450; id., 1830 ed., p. 260. See additional acts of June 10, 1803, id., 1805 ed., p. 314, and June 18, 1807, id., 1830 ed., p. 268.]

Section 1st Be it Enacted by the Senate and House of Representatives in General Court convened, that the Inhabitants of the Town of Portsmouth qualified to vote for Town Officers, shall at the annual Town Meetings held for the Choice of Town Officers, or at any other Town Meeting duly warned and held for that purpose, choose and appoint by Ballot three suitable and proper persons, to be health Officers in said Town, for the Year then next ensuing, who shall be sworn to the faithful execution of their Duty, and shall Continue in office untill the next annual town Meeting for the Choice of town officers, and untill others shall be chosen and sworn in their room, and in Case of the neglect and refusal of any person so chosen to take such oath, and in case of the Death or resignation of any health Officer, the Select Men for said Town of Portsmouth, or a major part of them, may by a writing under their hands appoint some suitable person to fill such vacancy, and such person so appointed and sworn as aforesaid shall have the same power and authority in said office, as he would have if Chosen by the inhabitants at a legal Town Meeting—

Section 2nd And Be it Further Enacted, that it shall be the duty of said Health Officers, and each of them to search for, and examine into, all nuisances, or other Causes injurious, or dangerous to the health of the Inhabitants of said Town, created, or occasioned by Stagnant waters, drains common Sewers, Slaughter houses, tan Yards, docks, necessities, or any putred Substances, or by any other Causes whatever— And whenever the said Health Officers, or any two of them, shall in their opinion have knowledge of, or reasonable Cause of suspicion, that any Nuisance or putred Matter, or any substance, or thing, injurious to the health of said inhabitants, is lodged in any dwelling House, warehouse, Store, Shop, Cellar, out House, or enclosure, in said Town, or in any ship, or Vessel in the Harbour of said Town, they shall forthwith make report on oath or affirmation before some Justice of the Peace or other Magistrate of such Knowledge, or reasonable Cause of Suspicion thereof, who shall grant, and hereby is authorised to grant to such Health

officers a warrant to search and examine the Same, and the said Health Officers or any two of them, shall for that purpose and by virtue of said Warrant, have full power and authority forcibly to enter in the day time, and search and examine such Dwelling house ware house, Store, shop, Cellar, out House, enclosure, ship or Vessel, as the case may be, where such reasonable cause of suspicion exists—And the Said Health Officers & each of them when opposed or resisted in making such search, shall have the Same power and Authority to require and Command assistance, as a Sheriff by Law hath, when opposed or resisted in the execution of his Duty—

Section 3rd And Be it Further Enacted, that whenever any nuisance, putred substance or any matter or thing whatever, shall be found in any Dwelling House, ware House, Store, Shop, Cellar, vault, out House, enclosure, or Dock, or on any Wharf in Said Town, or in any vessel or Ship in Said Port, or harbour, which in the opinion of said Health Officers, or any two of them who have examined the Same, is or will become Injurious or Dangerous to the Health of said Inhabitants, said Health Officers or any two of them, shall immediately by a writing under their hands order the owner or owners, or the occupier or occupiers of such Dwelling House, Ware House— Store, Shop, Cellar, Vault, out House, enclosure, dock, Wharf, ship or Vessel, to remove or destroy such nuisance, or putred Substance, or matter within a certain time, which shall be limited, and specified in such order, and the reading such order, in the hearing of Such person or persons to whom the same is directed, or leaving a copy thereof, at his usual place of abode, shall be sufficient notice of such order, and in Case the person or persons to whom such order was directed, shall neglect to obey and comply with such order, at or before the expiration of the time so specified and limited in such order, it shall be the Duty of said Health Officers or any two of them, forthwith to cause such nuisance, putred Substance, or matter to be removed —To do which they may employ such number of assistants, & Labourers as shall be necessary,

And the said Health officers or any two of them shall have the same power and authority, by Virtue of the warrant aforesaid, granted as aforesaid, on the oath or affirmation of said Health Officers, or any two of them, forcibly to enter into all Dwelling Houses, ware Houses, Stores, Shops, Cellars out Houses, enclosures, Ships or Vessels for the purpose of removing such nuisance, putred substance, or matter they have to enter to make search and examination as is herein before provided, And if any person or persons, shall knowingly and willfully resist, molest, impede or obstruct, said Health officers or any one of them, or any person by them or any one of them employed, in making or attempting to make such search and examination, or in removing such Nuisance, putred Substance, or matter, such person or persons so offending shall on

Conviction thereof before the Superiour Court, be punished, by imprisonment not exceeding twelve Months, or by a fine not exceeding five hundred Dollars; Provided however, that no Sherif, Deputy Sherif, Marshall, Deputy Marshall, or Constable, shall under colour or by means of any entry made for any of the purposes aforesaid, enter any Dwelling House, to Serve any civil process by arresting the body, or attaching the Goods, or Chattles of any person or persons, unless such service would legally have been made, without such entry of Said Health Officers, and all such services so made under colour of such entry, shall have no more force or Validity, than the same would have if made without such entry; and the Officer making the same shall be subject to the Same punishment, and be answerable in the same manner, as he would be if he had made such service without such entry of said Health Officers—

Section 4th And Be it Further Enacted, that whenever any such, nuisance, putred Substance or matter, as aforesaid, shall be found in any dwelling House, ware House, Store, Shop, Cellar, Vault, out House, enclosure, Dock, Wharf, Ship, or Vessel, which shall be vacant and unoccupied, or when the occupier or occupiers thereof are not in the opinion of the Said Health Officers, or such one of them, who examine the same, of sufficient ability to remove or destroy such nuisance, or putred substance or matter, and when the owner or owners thereof shall be unknown to said Health Officers, or shall not reside within the said Town of Portsmouth, the Said Health Officers or any two of them may without making any order for the removal or destroying of the Same as is above Provided, immediately cause the same to be removed, in the same manner that he or they are authorised to do in case of the neglect of the owners or occupiers, after such order has been made, And in all cases when any such nuisance, putred substance, or matter shall be removed by said Health Officers, or by persons by them employed to do the same, the amount of the expence of removing the same, may be recovered against the occupier, or occupiers, or against the owner, or owners of such dwelling House, ware House, store, shop, Cellar, vault, out house, enclosure, dock, wharf, ship, or vessel, where the same shall be found, in an action of the Case, for money paid laid out and expended, which action may be commenced and prosecuted in the Name and for the use of the Town of Portsmouth, by the said Health Officers, or any two of them, before any Court or Justice of the Peace proper to try the same, and in case of a recovery in any such action in favour of said Town, such Court or Justice shall allow and tax Costs—

Section 5th And Be it Further Enacted, that if any person or persons, shall throw, place or leave, or cause to be thrown, placed or left any fish, Garbage, putred annimal, vegetable substance or any matter of an offensive nature, which will pollute the air, and become injurious to the health of said Inhabitants, in any highway,

street, lane or open alley, or on any Common, or into any Dock, or on any Wharf, or in any shoal Water in said Town, where the tide will not remove and carry the same away, such person or persons shall for each offence forfeit and pay a sum not exceeding ten Dollars, nor less than one, to the said Town of Portsmouth, which may be prosecuted and recovered by said Health Officers, or any two of them, in the name of said Town, in any Court proper to try the same. And the said Health Officers shall remove or cause to be removed all nuisances, putred Substances, or matter injurious or dangerous to the health of said Inhabitants which shall be found in any High way, street, lane, or alley in said Town, or on any wharf or in any Dock in said Town—

Section 6th And Be it Further Enacted, that whenever any Ship or Vessel shall arrive at the Port or Harbour of Portsmouth, after the fifteenth Day of May, and before the first day of November in any year, from any Country, place, or Port, subject to the Yellow Fever, or any Malignant pestilential contagious disorder, or where the Yelow Fever, or any Malignant contagious Disorder is usually or often Prevalent, it shall be the Duty of Said Health Officers or any one of them immediately to examine into the state and circumstances of such ship, or vessel, and if it shall be the opinion of said Health Officers or any two of them that such ship or vessel her Cargo or any person on board of the same, is infected with any such Malignant contagious disorder, and that her coming to, or remaining at, or near any of the wharves, or Compact parts of said Town, would be injurious, or Dangerous, to the health of said Inhabitants, it shall be the duty of said Health Officers or some two of them, by a writing under their hands, to order and direct the owner or owners, Master, or Commanding officer of such ship, or vessel, to remove such ship, or vessel, to some place of safety not exceeding three Miles distance from said Town, in such order to be specified, there to remain to Cleanse and purify, such Ship, or Vessel, and her Cargo, for such a term and space of time not exceeding thirty Days, as shall be limited and spicified in such order—And in Case the owner or owners, Master or Commanding officer of any such ship or Vessel, shall disobey or neglect to perform, and Comply with such order, or shall move or bring such ship, or Vessel or any part of her Cargo, or any article on board such ship, or vessel, or permit or Suffer the same to be moved or brought on shore, before the expiration of the time limited and spicified in such order, without having previously obtained permission in writing to do the same from two of said Health Officers, or from a majority of the Select Men of said Town, such owner, or owners, Master or Commanding officers so offending shall forfeit and pay to said Town a sum not exceeding two Thousand Dollars, which may be recoverd with Costs in an action in the Name of said Town to be prosecuted by said Health Officers, in any

Court proper to try the Same. And if the owner or owners, Master or Commanding officer of any such ship or Vessel, shall neglect to remove the same, agreeable to such order, or having removed the same shall again before the expiration of the time limited and spicified in such order, bring such ship or vessel, or Cause the same to be brought to, or near any wharf in said Town, or near any Compact parts of said Town, without having previously obtained such permission therefor, as is herein above provided, the said Health Officers, or some two of them, taking with them sufficient assistance, shall remove such ship or Vessel to the place spicified in said order, their to remain at the risque of the owner, or owners, untill the expiration of the time in such order limited and spicified— And the expence of removing such Ship or Vessel and keeping the same may be recovered against such owner, or owners, Master or Commanding officer, with double Costs in the same way and manner as is in this act provided for recovering the expence of removing or Destroying nuisances and putred substance or matter—

Section 7th And Be it Further Enacted, that all the expences created or incurred by said Health Officers in the execution of their Duty shall be borne and paid by the said Town of Portsmouth for which the said Health Officers from time to time may draw orders on the Select Men of Said Town, and the Said Health Officers shall be entitled to receive a proper Compensation from said Town, and if the said Health Officers or any one of them, or any person or persons by them employed shall be sued or prosecuted for any matter or thing by him or them Done in pursuance, and under the authority of this act, he or they may plead the general issue, and give this act and the special matter of Justification in evidence, which shall have the same force and effect, as if the same were specially set forth and pleaded—

Section 8th And Be it Further Enacted, that from and after the passing this act that the Health Officers appointed by said Town of Portsmouth at their Last annual Meeting, be and hereby are impowered and directed, to execute and perform the Duty required by this act, untill the next annual Meeting, and in Case of the Death, or resignation of any one or more of them, that the Select Men shall have authority to appoint others in their stead, as set forth in the first Section of this act—

[ORDERS, RESOLVES AND VOTES OF A LEGISLATIVE NATURE PASSED DURING THIS SESSION.]

1799, June 10.

Upon reading and considering the Petition of Samuel Howard and others Inhabitants of Temple praying for liberty of sending a Representative to the General Court—Voted that the prayer thereof be granted and that they have the Liberty to send a Representative in future—

[House Journal, 1794-99, p. 702. Senate Journal, 1797-1800, p. 270.]

1799, June 14.

The Legislature of New Hampshire having taken into consideration certain Resolutions of the General Assembly of Virginia Dated Dec^r 21st 1798 also certain Resolutions of the Legislature of Kentucky of the 10th of Nov^r 1798—

Resolved that the Legislature of New Hampshire unequivocally express a firm resolution to maintain and defend the Constitution of the United States, and the Constitution of this State against every aggression either foreign or domestic and that they support the Government of the United states in all measures warranted by the former—

That the state Legislatures are not the proper tribunals to determine the Constitutionality of the Laws of the General Government. That the duty of such decision is properly & exclusively confided to the Judicial department—

That if the Legislature of New Hampshire for mere speculative purposes were to express an opinion on the Acts of the General Government commonly called “the Alien and Sedition Bills” that opinion would unreservedly be, that those Acts were Constitutional and in the present critical situation of our Country highly expedient—

That the Constitutionality and expediency of the Acts aforesaid have been very ably advocated and clearly demonstrated by many citizens of the United States, more especially by the Minority of the General Assembly of Virginia—The Legislature of New Hampshire therefore deem it unnecessary, by any train of arguments to attempt further illustration of propositions, the truth of which it is confidently believed, at this day, is very generally seen and Acknowledged.

[House Journal, 1794-99, p. 724. Senate Journal, 1797-1800, p. 292.]

1799, June 15.

Resolved that the Secretary be directed to send to the several Post Offices in this State at the expence of said state a Copy of the Laws passed the present Session, and such as may be passed in future as soon as may be after the close of Each Session directed to each member and to each Town agreeably to a Resolve passed November Session 1797—

[House Journal, 1794-99, p. 731. Senate Journal 1797-1800, p. 294.]

[*Second Session, Held at Exeter, December 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 30, 31, 1799.*]

[CHAPTER 1.]

State of }
New Hampshire. }

AN ACT DECLARING THE TENURE WHICH CERTAIN OFFICERS SHALL HAVE IN THEIR RESPECTIVE OFFICES.

[Approved December 18, 1799. Original Acts, vol. 16, p. 73; recorded Acts, vol. 12, p. 8. Laws, 1805 ed., p. 43; id., 1815 ed., p. 47; id., 1830 ed., p. 45.]

Be it enacted by the Senate and House of Representatives in General Court convened that the following Officers to wit Attorney General, Solicitors and Sheriffs hereafter to be appointed shall hold their respective Offices for and during the term of five years from the time of their respective appointments; subject to be removed by the Senate by impeachments and by the Governor with Consent of Council upon the address of both houses of the Legislature.

[CHAPTER 2.]

State of }
New Hampshire. }

AN ACT TO VEST IN DANIEL BURLEY, THE LIBERTY OF KEEPING A FERRY OVER A CERTAIN PART OF PEMIGEWASSET RIVER UNDER CERTAIN RESTRICTIONS—

[Approved December 18, 1799. Original Acts, vol. 16, p. 74; recorded Acts, vol. 12, p. 16.]

Whereas Daniel Burley of Bridgwater in the county of Grafton has petitioned the General Court for liberty to keep a Ferry over Pemigewasset River, between Bridgwater and New-Hampton, at or near a place called pine Hill in Bridgwater, untill a bridge shall be built over said river, at or near said place; Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened, that the exclusive privilege of keeping a Ferry over Pemigewasset River, between Bridgwater and New-Hampton, at or near a place called pine hill, and to extend from said hill one mile each way as the river runs, is hereby granted to the said Daniel Burley his heirs and assigns, untill a Bridge shall be erected over said river, at or near said pine hill; by his giving bond with sufficient surety, in the sum of one hundred dol-

lars, to the Clerk of the Court of Common Pleas for the County of Grafton, that the said Ferry, shall be constantly kept and well attended during said term.—

And be it further enacted that the following rates of toll are hereby established for said Ferry. For every foot passenger one cent. For every horse and rider three cents. For every cart drawn by one horse six cents; by more than one, ten cents. For every cart or waggon drawn by one pair of oxen, eight cents; by more than one pair, twelve cents. For every horse or neat creature, exclusive of those rode on or in carriages, one cent; and for sheep and swine, half a cent each. One driver to each team is allowed to go free of toll.—

And be it further enacted that if any person shall demand or recieve any greater toll than is hereby established, he shall for each offence forfeit and pay to the party injured, six dollars, to be recovered by action of debt before any Court proper to try the same.—

And be it further enacted that if any person shall for hire or reward, transport over said River within the limits aforesaid, any person, creature, or thing, such person so offending shall forfeit and pay to the said Daniel Burley, his heirs or assigns the sum of six dollars, to be recovered by action of debt before any court proper to try the same.—

[CHAPTER 3.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF STRATHAM UNION LIBRARY

[Approved December 18, 1799. Original Acts, vol. 16, p. 75; recorded Acts, vol. 12, p. 90.]

Be it enacted by the Senate and House of Representatives in General Court convened that Nathaniel Wiggin Jun^r, David Wiggin, Eliphalet Merrill, John Dearborn, Coker Fifield, Nicholas Rollings Jun^r, Abraham Tilton, Jacob Law Jun^r, Thomas Piper, and James Lane and their Associates proprietors of said Library and all such as may hereafter become Proprietors of the same, be, and they hereby are incorporated into a body politic by the name of the Proprietors of Stratham Union Library with Continuation and Succession forever, and in that name may sue and be sued, may prosecute and be prosecuted in all personal actions and defend the same to final judgment and execution, and they are hereby vested with all the powers and privileges incident to Corporations of a similar nature and may enjoin penalties of disfranchisement or fine not exceeding four Dollars for each offence, to be recovered

by said Society in an Action of debt to their use in any Court proper to try the same, and they may make purchase and receive subscriptions, grants and donations of personal estate not exceeding one thousand Dollars for the purpose and use of their association.

And be it further enacted that said Society be and they hereby are authorised to assemble at Stratham aforesaid on the first Tuesday in November annually to choose all such Officers as may be found necessary for the orderly conducting the affairs of said Corporation who shall continue in Office until others are chosen in their Room; and that said Corporation may assemble as often as may be found necessary for filling up any vacancies which may happen in said Offices and for transacting all other business, excepting the raising of monies which shall be always done at their annual meeting and at no other time, at which time they shall vote all necessary sums for defreying the expence of preserving said Library and for enlarging the same.—And said Corporation shall have power to make such Rules and Bye laws for the government of said Society as may from time to time by them be found necessary provided the same be not repugnant to the Constitution and laws of this State.

And be it further enacted that Nicholas Rollins Jun^r and Abraham Tilton or either of them are hereby impowered and authorised to call the first meeting of said Proprietors at such time and place as they may appoint by posting a notification for that purpose at the meeting house in said Stratham at least fifteen days prior to said meeting and the said proprietors at said meeting shall have the same power to choose Officers and make Rules and Bye laws as they have by this act at their annual Meeting.

[CHAPTER 4.]

State of }
New Hampshire. }

AN ACT TO ALTER THE TIME OF HOLDING THE ANNUAL MEETING OF THE TOWN OF WARREN.—

[Approved December 21, 1799. Original Acts, vol. 16, p. 76; recorded Acts, vol. 12, p. 9.]

Whereas the Selectmen of said Warren, in behalf of said town, have represented to the General Court that the holding the Annual Meeting of said town so early in the month of March as the first Wednesday, which is the time appointed by the Charter of said town, is attended with many and great inconveniences to the Inhabitants of said town, and have prayed that the same may be altered.—Therefore—

Be it enacted by the Senate and House of Representatives in General Court convened, that the Annual Meeting of the said town of Warren, in future, be holden on the third Thursday of March instead of the first Wednesday of said Month, any Law, usage, or custom to the contrary notwithstanding.

[CHAPTER 5.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE PROPRIETORS OF THE SOCIAL LIBRARY
IN PETERBOROUGH.

[Approved December 21, 1799. Original Acts, vol. 16, p. 77; recorded Acts, vol. 12, p. 100.]

Be it enacted by the Senate & House of Representatives in General Court convened that Henry Ferguson James Wilson William McNee Robert Morrison David Steele Jun^r Nath^l Holmes Matthew Aiken Asa Evens Samuel Russel Daniel Robbe John Scott Sam^l Smith James Richey Thomas Steele Ezekiel Morrison Ebenezer Moore John Steele John Smith James Porter William Scott Jonathan Smith & John White & their associates Proprietors of said Library & all such as may hereafter become Proprietors of the same be & they hereby are incorporated into a Body politic by the name of The Proprietors of the Social Library in Peterborough with all the Privileges & powers incident to corporations & with power to enjoin penalties of disfranchisement or fine not exceeding Ten dollars for each Offence & with power to purchase & receive subscriptions grants, & donations of real or personal Estate not exceeding one thousand dollars for the purpose of their association

And be it further enacted that the said Society be & they hereby are authorized to assemble at Peterborough aforesaid on the first Wednesday of June in every year or at any other day said Proprietors shall appoint to choose all such Officers as may be found necessary for the orderly conducting of the affairs of the said Corporation which Officers shall continue until others are chosen in their room And the said corporation may assemble at such other times as they may judge necessary & proper for the transacting of all the Business of the Society except that of raising monies which shall always be done at some annual meeting & at no other time And the said Proprietors may at any annual meeting vote all necessary sums for defraying the annual expences of preserving said Library & for enlarging the same And the said Proprietors at any legal meeting may agree upon a method of calling meetings of the Proprietors in future

And be it further enacted that Henry Ferguson or James Wilson is hereby Authorized to call a meeting of said Proprietors at such

time & place as he may choose giving Fifteen days notice thereof which Notice shall be personal or by posting Notifications at some public place in the said Town of Peterborough at which meeting they may do & transact all such Business as they may lawfully do at any annual meeting

[CHAPTER 6.]

State of }
New Hampshire. }

AN ACT TO VEST IN WALTER BLOSS THE PRIVILEGE OF KEEPING A FERRY OVER A CERTAIN PART OF CONNECTICUT RIVER.

[Approved December 21, 1799. Original Acts, vol. 16, p. 78; recorded Acts, vol. 12, p. 107.]

Whereas Walter Bloss of Dalton in the County of Grafton has petitioned the General Court setting forth that at a place called Still-water in Connecticut River about two miles from the head of the fifteen mile falls is a suitable place for a Ferry; and whereas the said Walter Bloss has petitioned for the privilege of keeping a ferry any where from the head of said Still-water down said River the distance of two miles to be granted to him under such Regulations as the Legislature shall think proper, the prayer of which petition appearing reasonable: Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened that the exclusive privilege of keeping a ferry, with the immunities thereof, over Connecticut River any where from the head of said Still-water down said River the distance of two miles be and hereby is granted to, and vested in the said Walter Bloss his Heirs and Assigns until a Bridge shall be erected over said River within the limits aforesaid: He the said Walter Bloss giving Bond, with sufficient sureties, in the sum of six hundred Dollars to the Clerk of the Court of Common Pleas for the County of Grafton that the said ferry shall be constantly kept and well attended during said term.

And be it further enacted that the Rates of ferriage to be taken by the said Walter Bloss, his Heirs or Assigns shall at all times be established by the Justices of the Court of Common Pleas in said County of Grafton, which Justices are hereby authorised and empowered to establish said Rates of ferriage, from time to time, as they shall judge proper.

And be it further enacted that if any person shall demand or receive any greater Rate of ferriage than the said Court of Common Pleas shall establish he shall for each such offence forfeit and pay to the party injured the sum of six Dollars to be recovered in an Action of debt before any Court proper to try the same.

And be it further enacted that if any person shall for hire or reward transport over said River within the limits aforesaid any person, creature or thing, such person so offending shall forfeit and pay to the said Walter Bloss, his Heirs or Assigns the sum of six Dollars to be recovered in an Action of debt before any Court proper to try the same.

[CHAPTER 7.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT DECLARING THE MODE OF CONVEY-
ANCE BY DEED PASSED THE 10TH DAY OF FEBRUARY 1791—

[Approved December 24, 1799. Original Acts, vol. 16, p. 79; recorded Acts, vol. 12, p. 1. Laws, 1805 ed., p. 158; id., 1815 ed., p. 193. The act referred to is printed in Laws, 1805 ed., p. 155. Repealed June 29, 1829, id., 1830 ed., p. 533. See act of July 2, 1822, recorded Acts, vol. 22, p. 155.]

Whereas in & by said Act it is among other things enacted “that “where the witnesses to any deed or other conveyance shall be dead “before the same shall be acknowledged & the Grantor or Grantors “are also dead the proof of the hand writing of the Grantor or “Grantors & of the subscribing witnesses thereto made by the Oath “of two witnesses before any Court of Record within this state shall “be equivalent to the acknowledgement of such Grantor or Grantors “before any Justice of the peace”—

“Provided that it shall be made to appear to the satisfaction of “the Justices of the Court before whom such Proof shall be made “that the Grantee or Grantees in said deed or conveyance mentioned “have in the life time of the Grantor or Grantors taken actual pos- “session of the real Estate conveyed by such Deed & that such “Grantee or Grantees or some Person or Persons claiming under “him her or them have continued such actual possession quietly to “the time when such Application shall be made to such Court for “the purposes aforesaid”

But no provision is made in said Act where the witnesses whose Names are subscribed to such deed shall have gone beyond sea or removed out of the United States before the deed be acknowledged

Be it therefore enacted by the Senate & House of Representatives in General Court convened that where the witnesses whose names are subscribed to any deed of Bargain & sale or other conveyance shall have gone beyond Sea or removed out of the United States before the same deed shall be acknowledged the proof of the hand writing of such subscribing witnesses may be made in the same cases & in the same manner & shall have the same Effect & validity as such proof when made pursuant to the said act in Case of the death of the subscribing witnesses

[CHAPTER 8.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE A PLACE CALLED STEWARTSTOWN.

[Approved December 24, 1799. Original Acts, vol. 16, p. 80; recorded Acts, vol. 12, p. 94.]

Whereas Daniel Brainard Junior and others have preferred a petition to the General Court, representing that a petition was exhibited to the General Court at their session in June one thousand seven hundred and ninety five, requesting that a place called Stewart, in the county of Grafton and State of New-Hampshire might be incorporated into a town, and also that a tax of two pence on each acre of land in said Stewart might be granted for the purpose of making roads and bridges; upon which the General Court at their session in December, one thousand seven hundred and ninety five, passed an Act to incorporate said place called Stewart, by the metes and bounds mentioned in the Charter thereof, into a town by the name of Stewart; and at their session in December one thousand seven hundred and ninety six, passed an Act granting a tax of three cents on each acre of land in said Stewart, public rights excepted, for the purpose of making roads and bridges.—And that said place was at the time of preferring said petition known to said petitioners by the name of Stewart, when in reality it was called Stewartstown in the Charter thereof, and that doubts had arisen respecting the legality of said incorporation, as well as of the tax aforesaid. The said Daniel Brainard and others in their said petition, among other things pray, that such amendments may be made to the Act aforesaid, incorporating said place, as the General Court may think expedient, or that in any other way the said Stewartstown may be incorporated and vested with such privileges as other towns in this State enjoy— which appearing to be reasonable,

Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened, that a township be and hereby is erected and incorporated by the name of Stewartstown, butted, bounded, and described as follows, viz, beginning at a white-maple tree standing on the easterly bank of Connecticut River, and running south seventy degrees east, nine miles; from thence turning off at right angles and running South twenty degrees west three miles and one hundred and forty four rods, from thence turning off at right angles and running north seventy degrees west to Connecticut river, from thence up said river as that tends, to the maple tree aforesaid— which same maple tree stands four rods north of a brook called Bishop's brook, and opposite a large Island in said river—

And the Inhabitants of said tract of land are hereby erected into a body politic and corporate to have continuance and succession forever; and are invested with all the powers, and enfranchised with all the privileges, rights, benefits, and immunities which any towns in this State by law hold or enjoy. To have and to hold the said inhabitants and their successors forever—

And Daniel Brainard Junior is hereby appointed, authorised, and impowered to call the first meeting of said inhabitants for the purpose of choosing all necessary and customary town officers, giving at least fourteen days notice of the time and place of meeting in Stewartstown aforesaid, and of the articles to be acted upon, who shall attend and preside until a moderator be chosen, and the officers then and there chosen shall be invested with all the powers and authority that like officers of any other towns in this State are by law invested with—

And the meetings of the inhabitants of said town for the choice of town officers shall be holden on the second tuesday of March annually forever.

And be it further enacted that an Act passed by the General Court at their session in December in the year of our Lord one thousand seven hundred and ninety five, incorporating a place called Stewart, be and the same is hereby repealed—

[CHAPTER 9.]

State of }
New Hampshire. }

AN ACT TO VEST IN ELIHU DE FOREST THE PRIVILEGE OF KEEPING A FERRY OVER A CERTAIN PART OF CONNECTICUT RIVER.

[Approved December 24, 1799. Original Acts, vol. 16, p. 81; recorded Acts, vol. 12, p. 104.]

Whereas Elihu de Forest of Lemington in the State of Vermont, has petitioned the General Court for liberty of keeping a ferry over Connecticut river, between the towns of Cockburne in New Hampshire, and Lemington in Vermont, any where between Blackman's falls and the mouth of Simstream, which is a distance of about five miles—

Therefore

Be it enacted by the Senate and House of Representatives in General Court convened, that the exclusive privilege of keeping a Ferry over Connecticut River between the towns of Cockburne in New-Hampshire and Lemington in Vermont, at any place between Blackman's falls and the mouth of Simstream, is hereby vested in the said Elihu de Forest, his heirs and assigns, by his giving bond with sufficient surety in the sum of two hundred dollars, to the

Clerk of the Court of Common Pleas for the County of Grafton, that the said ferry shall be constantly kept and well attended—

And be it further enacted that the Justices of the Court of Common Pleas for the County of Grafton shall from time to time on application to them made, regulate and determine the rates of ferriage, to be recieved by the said Elihu de Forest, his heirs and assigns—

And be it further enacted that if any person shall demand or recieve any greater ferriage than shall be established by said Court of Common Pleas, every person so offending shall forfeit and pay to the party injured, the sum of six dollars, to be recovered in an action of debt in any court proper to try the same—

And be it further enacted that if any person shall for hire or reward, transport any person, creature, or thing, over said river, within the limits aforesaid, every person so offending, shall for each offence, forfeit and pay to the said Elihu de Forest, his heirs or assigns, the sum of six dollars, to be recovered in an action of debt before any court proper to try the same.

Provided nevertheless, that nothing in this Act shall be construed to prevent any future Legislature from granting liberty to build a bridge over said river within the limits aforesaid.—

[CHAPTER 10.]

State of }
New Hampshire. }

AN ACT FOR THE BETTER OBSERVATION OF THE LORDS DAY, AND FOR
REPEALING ALL THE LAWS HERETOFORE MADE FOR THAT PURPOSE.

[Approved December 24, 1799. Original Acts, vol. 16, p. 82; recorded Acts, vol. 12, p. 111. Laws, 1805 ed., p. 290; id., 1815 ed., p. 346; id., 1830 ed., p. 167. See the act of June 22, 1814, by which this and all other acts relating to the subject are repealed, recorded Acts, vol. 20, p. 152.]

Be it enacted by the Senate and House of Representatives in General Court convened that no tradesman, artificer or any other person whatsoever shall do, or exercise any labour, business or work of their secular callings, works of necessity and mercy only excepted, nor use any game, play or recreation on the first day of the week commonly called the Lords day, or any part thereof, upon pain that every person so offending shall forfeit a sum not exceeding six Dollars nor less than one.

And be it further enacted that no person shall travel on the Lords day between Sunrising and Sunsetting unless from necessity, or to attend public worship, visit the Sick, or do some office of charity on penalty of a sum not exceeding six Dollars nor less than one.

And be it further enacted that no Taverner, Retailer or other person keeping a public house of entertainment, shall suffer any of the inhabitants of the respective Towns where they dwell or others not being strangers or lodgers in such houses to abide or remain in the houses, yards or appendages thereof drinking or idly spending their time on the Lords day upon the pain and penalty aforesaid. And the person or persons who shall be found so drinking or abiding in such house or dependencies thereof as aforesaid shall each suffer the like penalty.

And be it further enacted that each Town and district within this State shall at the time of choosing town or district Officers annually and every year choose by ballot certain persons, being of good substance and sober life to be Tything men of such town or district, of which Officers no town or district shall appoint less than two, whose duty it shall be to inform of all Breaches of this act.

And be it further enacted that if any person shall on the Lords day within the walls of any house of public worship, or about such house, whether in the time of public Service or between the forenoon and afternoon services of said day, or on any part thereof, behave rudely or indecently, he or she shall pay a fine not exceeding six Dollars nor less than fifty Cents.

And be it further enacted that the Oath of any Tythingman or Selectman shall be deemed full and sufficient evidence upon trial of any offence against this Act, unless in the judgment of the Court or Justice the same shall be invalidated by other evidence that may be produced.

And be it further enacted that the Parents of any Children under age, the Guardians of any Minors, and the Masters of Servants who shall have no Parents or Guardians shall be respectively liable for the fines and Costs of their Children, Wards or Servants who shall be convicted of any offence against this Act. And the said fines and Costs may be levied by warrant of distress issued against the parent, guardian or master, as the case may be, according to the form herein after prescribed. Provided always that such parent, guardian or Master shall be duly notified of the time and place appointed for the trial of such Children, Minors or Servants for the offences aforesaid.

And be it further enacted that it shall be lawful for each and every Selectman and Tythingman within their respective precincts to take and command such assistance as may be needful and forcibly to stop and detain any person or persons they shall suspect of travelling unnecessarily on said day, for and during such time, as shall be necessary for demanding the cause or reason of such persons travelling, his name and place of abode, and receiving the answer to such demands. And in case any such person shall not give satisfaction to the Selectman or Tything man demanding the same, that

there is sufficient reason for his travelling such Selectman or Tythingman shall have full power and authority to detain in his Custody such person or persons until a regular trial can be had, and to command the necessary aid therefor.

And be it further enacted that if any person shall refuse to give aid and assistance to any Selectman or Tything man who may require the same for the purposes aforesaid such person so refusing shall upon conviction thereof be fined in a sum not exceeding six Dollars nor less than one.

And be it further enacted that if any person found travelling upon the Lords day shall give any false answer to any of the before mentioned questions which may be asked him by any Selectman or Tythingman, the said person shall upon Conviction thereof be fined in a Sum not exceeding thirteen Dollars nor less than one.

And be it further enacted that the Selectmen of the several towns and places in this State and the Tythingmen chosen as aforesaid be and they hereby are required to inform of all Breaches of this Act within their precincts. And if any person charged with a Breach of this Act, shall be acquitted upon trial, he shall recover Costs against the Complainant, unless the Complainant be a Selectman or Tythingman; and in that case no Cost shall be allowed to the person acquitted. And for the better execution of all and every of the foregoing Orders, every Justice of the Peace within the County where any offence against this Act shall be committed, shall have power and authority to convene before him any person or persons offending as aforesaid, and upon his own view, or other evidences sufficient to convict any person of such offence, to impose the fine and penalty for the same with Costs, and to restrain and commit the offender until the same be satisfied, or to cause such fine, penalty and Costs to be levied by distress and sale of the offenders goods returning the overplus if any be. All fines and penalties accruing by this Act, to be for the benefit and relief of the poor of such town or place where the offence is committed, and delivered into the hands of the Selectmen or Overseers of the poor for that purpose.

And be it further enacted that any person shall have the Right of appeal to the Court of Common Pleas from any sentence of a Justice given against him or her in pursuance of this Act, he or she recognizing with sufficient sureties to prosecute his or her appeal with effect. Provided nevertheless that it shall and may be lawful for any Justice of the Peace on application to grant a licence for any person to travel, or do any secular business on said day, which shall appear to him to be a work of necessity or mercy. And such Certificate shall be a bar to any prosecution therefor. And the informing officers aforesaid shall have a right to enquire of any person apparently offending against this Act the cause or necessity of his so doing, and if he or she shall neglect or refuse to assign

such reason or reasons as may appear on trial to be sufficient, or show such Certificate, he or she shall pay Costs of prosecution, any other reason he or she shall give on trial notwithstanding.

And be it further enacted that all prosecutions for offences against this Act shall be commenced within thirty days after the offence shall have been committed and not afterward.

And be it further enacted that the warrant of distress before mentioned may be in the form following

State of New Hampshire } To the Sheriff of the said County of
R.....ss } R..... or his deputy or any Con-
stable of..... in said County
..... Greeting

(Seal) Whereas O.F. an infant under the age of twenty one
years on the day of at
in said County of R. before the subscriber one of the Jus-
tices assigned to keep the peace within and for said County was
duly convicted of [here describe the offence as it is described in the
complaint or conviction] which offence was committed contrary to
the form of an Act entitled "An Act for the better observation of
the Lords day, and for repealing all the laws heretofore made for
that purpose" and for said Offence the said O.F. was ordered to
pay a fine of and Costs of prosecution amounting
in the whole to the sum of and whereas A.B. of &C (Ad-
dition) at the time of the Conviction aforesaid was [Parent, Guard-
ian or Master as the Case may be] of the said O.F. and by law
liable for the said fine and Costs, and hath been duly notified of
said Conviction and the same fine and Costs still remaining un-
paid these are therefore in the name of the State of New Hamp-
shire to command you to levy the said sum of by
distress and sale of the Goods and Chattles of the said A.B. found
within your precinct and the same sum when levied to pay to the
subscriber to be disposed of according to law. And for want of
such Goods or Chattles of the said A.B. to take the body of the
said A.B. and him commit unto the Goal in and the Keeper
of said Goal is hereby commanded to receive the said A.B. into his
Custody and him detain in said Goal until he pay the aforesaid sum
of with fifty Cents more for this warrant together with all
fees, or until he be discharged by order of law. Hereof fail not
and make due return of this Warrant with your doings therein unto
the subscriber within sixty days next coming.

Given under my hand and seal at.....in said County the
.....day of.....A.D.

J.P.

And be it further enacted that the said Warrant of distress shall
be served and executed in the same way and manner as executions

against the body and personal estate are by law to be served and executed, and the officer serving the same shall be entitled to demand the same fees as he may lawfully demand for the service of such executions and no more.

And be it further enacted that all the laws heretofore made in this State for the better observation of the Lords day be and they hereby are repealed. Provided nevertheless that this Act shall not be in force until the first day of March next.

And it is hereby recommended to the Ministers of the Gospel to read this Act publicly in their Congregations annually on the Lords day next after the Choice of Town Officers.

[CHAPTER 11.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE SOCIAL LIBRARY IN GREENLAND.

[Approved December 24, 1799. Original Acts, vol. 16, p. 83; recorded Acts, vol. 12, p. 125.]

Be it enacted by the Senate and House of Representatives in General Court convened that Samuel Macclintock, Clement March, Thomas Marston, Joshua Weeks, Joshua Brackett, Enoch Clark, Thomas Berry, Isaiah Berry, Shadrach Robinson, Enoch M. Clark, Samuel Hatch, and Thomas Philbrook and their Associates proprietors of said Library and all such as may hereafter become proprietors of the same be and they hereby are incorporated into a body politic by the name of the proprietors of the social Library in Greenland with continuation and succession forever, and in that name may sue and be sued, may plead and be impleaded in all personal actions and may prosecute and defend the same to final judgment and execution, and they are hereby vested with all the powers and privileges incident to Corporations of a similar nature, and may enjoin penalties of disfranchisement or fine not exceeding four Dollars for each offence, to be recovered by said Society in an action of debt to their use in any Court proper to try the same, and they may make purchase, and receive subscriptions, grants and donations of personal estate not exceeding one thousand Dollars for the purpose and use of their association

And be it further enacted that said Society be and they hereby are authorised to assemble at Greenland aforesaid on the first Monday in November annually to choose all such Officers as may be found necessary for the orderly conducting the affairs of said Corporation, who shall continue in office until others are chosen in their room; and that said Corporation may assemble as often as

may be found necessary for filling up any vacancies which may happen in said Offices, and for transacting all other business, excepting the raising of monies which shall be always done at their annual meeting and at no other time, at which time they shall vote all necessary sums for defreying the annual expence of preserving said Library and for enlarging the same. And said Corporation shall have power to make such Rules, Regulations and Bye-laws for the government of said Society as may from time to time by them be found necessary provided the same be not repugnant to the Constitution and Laws of this State.

And be it further enacted that Enoch Clark and Joshua Weeks, or either of them, are hereby authorised and impowered to call the first meeting of said proprietors at such time and place as they may appoint by posting a notification for that purpose at the Meeting house in said Greenland at least fifteen days prior to said meeting, and the said proprietors at said meeting shall have the same power to choose Officers and make Rules, Regulations and Bye-laws as they have by this Act at their annual meeting.

[CHAPTER 12.]

State of }
New Hampshire. }

AN ACT IMPOWERING THE INHABITANTS OF THE TOWN OF STEWARTSTOWN IN THE COUNTY OF GRAFTON, TO RAISE A TAX ON ALL THE LANDS IN SAID TOWN, PUBLIC RIGHTS EXCEPTED, FOR THE PURPOSE OF MAKING ROADS AND BRIDGES—

[Approved December 24, 1799. Original Acts, vol. 16, p. 84; recorded Acts, vol. 12, p. 129.]

Whereas a number of the inhabitants of the town of Stewartstown in the county of Grafton, have preferred a petition to the General Court, praying among other things, that all lands in said town, public rights excepted may be taxed three cents on each acre for making roads and bridges.—Which appearing reasonable—

Therefore—

Be it enacted by the Senate and House of Representatives in General Court convened, that the Selectmen of said town be and hereby are empowered to assess a tax of three cents on each acre of land in said town, except public rights, for one year, and the Selectmen shall appoint a Collector or Collectors, to collect the same, to be appropriated to the sole use of making and repairing roads and bridges in said town. The said tax shall be collected in the same way and manner as State taxes assessed on nonresident proprietors by law is; except that the list of taxes left with the Deputy Secretary, shall remain in his office till the fifteenth of

September, instead of the first, as by law is otherwise directed—

And the said Collector or Collectors shall in the month of May in the year when said Tax is assessed, give public notice in the New-Hampshire Gazette, and in the paper printed in the County, two weeks successively, of the Assessment of said Tax, and of the leave granted to the resident, and nonresident owners to work out said tax as hereafter provided—

And the owners of land in said town, whether residents or non-residents, shall have the liberty of working out the said taxes, on the highways or bridges of said town, as the Selectmen shall direct, whose duty it shall be to superintend the same, or appoint some suitable person for that purpose, at the rate of six cents per hour for every able bodied man, finding his own diet and tools; and for Ox work at the same price per yoke; any time between the first of June and the fifteenth of September in the year when the tax is assessed.—

And if the tax aforesaid is not duly paid, or worked out as above provided, on or before the fifteenth of September, in the year when such tax is assessed, the Collector or Collectors shall proceed in collecting the same in the same way and manner as Collectors of State taxes are by law directed to do.

And when any lands are sold at public auction, by virtue of this Act, the collector is hereby impowered to give a good and valid deed of the same; and the same time shall be allowed for redemption and the same mode pursued in redeeming as in the case of lands sold for the nonpayment of State taxes; provided however that no deed shall be executed till one year after the sale.—

And the Selectmen of said town, shall previous to the collection of said Tax, give bond in the penalty of one thousand dollars, to the Clerk of the Court of Common Pleas for the county of Grafton, for the faithful appropriation of the Tax aforesaid, within two years from the first advertising, agreeable to the true intention of this Act, which bond may be sued and recovered in any Court competent to try the same, and one half the sum recovered shall be for the use of the Proprietors, and the other half to the use of the county—

And be it further enacted that an Act passed by the General Court the ninth day of December in the year of our Lord one thousand seven hundred and ninety six, granting a tax of three cents per acre on all lands, public rights excepted, in a place called Stuart in the county of Grafton aforesaid, be and the same is hereby repealed—

[CHAPTER 13.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE PROPRIETORS OF THE SOCIAL LIBRARY
 IN NEW IPSWICH

[Approved December 24, 1799. Original Acts, vol. 16, p. 85; recorded Acts, vol. 12, p. 135.]

Be it enacted by the senate and House of Representatives in General Court convened, that Charles Barrett, Ebenezer Champney, John Preston, Tim^r Farrar, Benj^a Champney, Jeremiah Prichard, John Crosby, Isaac Appleton, and David Hills, and their associates, proprietors of Said Library and all such as may hereafter become proprietors of the same—be and they hereby are incorporated into a body politic by the Name of the proprietors of the social Library in New Ipswich with all the privileges and powers incident to Corporations and with power to enjoin penalties of disfranchisement or fine not exceeding ten Dollars for each offence and with power to purchase and receive subscriptions, grants, & donations of personal estate not exceeding One thousand Dollars for the purpose of their association—

And be it further enacted that the said Society be and they hereby are Authorized to Assemble at New Ipswich aforesaid on the first Monday of June on every year or on any other day said proprietors shall appoint to Choose all such officers as may be found Necessary for the orderly conducting of the affairs of the said corporation. Which officers shall Continue until others are Chosen in their room and the said Corporation may Assemble at such other times as they may Judge Necessary and proper for the transacting of all the business of the society. Except that of raising Money which shall always be done at sum anual Meeting and at no other time and the said proprietors may at any anual Meeting—Vote all Necessary sums for defraying the Anual Expende of preserving said Library and for the enlarging the same—And the said proprietors at any legal Meeting May agree upon a Method of Calling Meetings of the said proprietors in future—

And be it further enacted that Benj^a Champney or John Crosby is hereby authorised to call a meeting of said proprietors at such time and place as he may Choose giving fifteen days Notice thereof, which Notice shall be personal or by posting Notifications at sum public place in said Town of New Ipswich, At which meeting they May do and transact all such business as they may Lawfully do at any anual Meeting—

[CHAPTER 14.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT "FOR ARRANGING THE MILITIA INTO DIVISIONS" PASSED DECEMBER THE TWENTY SEVENTH ONE THOUSAND SEVEN HUNDRED AND NINETY TWO.—

[Approved December 26, 1799. Original Acts, vol. 16, p. 86; recorded Acts, vol. 12, p. 4. Laws, 1805 ed., p. 248. The act referred to is printed in Laws, 1797 ed., p. 411. See act of June 18, 1798, recorded Acts, vol. 11, p. 91; also act of June 13, 1800, id., vol. 13, p. 9.]

Be it enacted by the Senate and House of Representatives in General Court convened, that the Companies in the Town of Plainfield and the North Company and the light Infantry in the Town of Cornish, and the West Company in New-Grantham form a first Battalion, that the Other Company in Cornish, and the Companies in Claremont form a Second Battalion, which Shall constitute the fifteenth Regiment.—

That the companies in Newport and Wendel form a first Battalion, that the Companies in Croydon, Springfield, and the East Company in New-Grantham form a Second Battalion which Shall constitute the Thirty first Regiment.—

[CHAPTER 15.]

State of }
New Hampshire. }

AN ACT IN ADDITION, TO AN ACT, INTITLED "AN ACT TO RESTORE NATHANIEL HUBBARD DODGE TO HIS LAW"

[Approved December 26, 1799. Original Acts, vol. 16, p. 87; recorded Acts, vol. 12, p. 138. The act referred to is dated November 30, 1798, recorded Acts, vol. 11, p. 292.]

Whereas Nathaniel Hubbard Dodge of Hampton Falls in the County of Rockingham, Husbandman, hath preferred a Pition to the general Court the present Sessions seting forth, that an Act of the Legislature was passed authorising and empowering him the said Dodge in the Capacity of Gaurdian to Polly Banks a Minor, & Daughter and Heir to Sarah Banks, late of Hampton Falls, deceased, to enter appeals from the Decree of the Judge of Probate of Wills &c for said County of Rockingham upon the Account of Nathaniel Healey of the same Hampton Falls, Husbandman, of his Gaurdianship of the Person & Estate of the said Polly Banks, and also upon the Account of the said Healey's Administration of

the Estate of the said Sarah Banks, at the superiour Court of Judicature holden at Portsmouth within and for the County of Rockingham on the first Tuesday of February AD 1799; and empowering the said Court, to sustain hear & determine on said Appeals, which said Appeals were duly entered at said superiour Court, and are now pending in the same, and the said Dodge further representing that in and by said Act, no Notice was ordered to be given the said Healey of the Entry of said appeals, And Praying that an additional Act may be passed ordering Notice to be given the said Haley of the Entry of said appeals in said superiour Court, the Prayer of which said Petition, appearing fit & reasonable Therefore

Be it enacted by the Senate and House of Representatives in general Court convened, That the said Nathaniel Hubbard Dodge shall cause an Attested Copy of this Act to be served on the said Nathaniel Healey, or left at his last and usual Place of Abode, fifteen days Previous to the day of the Setting of the next Superiour Court of Judicature to be holden at Portsmouth, in the County of Rockingham, on the first Tuesday of February next, That the said Healey may appear, and be heard, on said appeals, if he see Cause—

[CHAPTER 16.]

State of }
New Hampshire. }

AN ACT TO RESTORE DANIEL LOW TO HIS LAW.

[Approved December 26, 1799. Original Acts, vol. 16, p. 88; recorded Acts, vol. 12, p. 142.]

Whereas Daniel Low of Ipswich in the County of Essex and Common Wealth of Massachusetts Blacksmith hath preferred a Petition, to the honorable General Court, Setting forth That at a Court of common Pleas holden at Exeter within and for the County of Rockingham, on the third Tuesday of November, one thousand seven hundred and ninty three, he prosecuted an Action on three several Notes of hand, against Jacob Choate of Enfield in the County of Grafton, Yeoman, the Amount of said Notes, being fifty two Dollars & Twenty five Cents; That it was agreed on Record that the same should be demured to the then next superiour Court by the Plaintiffs Council, but he living out of the State, and not being present, when the same was by Law to be entered, The same was not entered at the Court appealed to, by which said Accident, or Misfortune, he lost the Benefit of having Judgment entered on said Demand & for his Costs, then Justly accrued, and Praying Relief in the Premeses. The Prayer of his said Petition being reasonable, Therefore Be it enacted by the Senate and House of

Representatives, in General Court convened, That the said Daniel Low have Liberty to enter his Appeal on said Demurer at the Superiour Court of Judicature next to be holden in the County of Rockingham, on the first Tuesday of February next, and that the Justices of said Court be, and they are hereby impowered & authorised to sustain said Appeal & hear & pass Judgment thereon, and issue Execution in the same Manner, as if the same had been regularly entered at the Court appealed to—

An be it further enacted, that the said Daniel Low shall cause a Copy of this Act to be served on the said Jacob Choate, or left at his last and usual Place of Abode at least fourteen days previous to the day of Setting of the said superiour Court, and in Case it shall appear to the said Court, that the said Jacob has not had personal notice; That the said Court shall continue the Action one Term.

[CHAPTER 17.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF WARREN AND WENTWORTH SOCIAL LIBRARY—

[Approved December 26, 1799. Original Acts, vol. 16, p. 89; recorded Acts, vol. 12, p. 146.]

Whereas a general diffusion of useful knowledge in a land of liberty has a happy tendency to promote freedom, and make better men and better citizens;— Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened that Joshua Copps, Ezra Bartlett, Abel Merrill, Jonathan Eames, Benjamin Page, and William Butler, and others their associates, proprietors of said Library, and all such as may hereafter become proprietors of the same, be and they hereby are incorporated into a body politic, by the name of the Proprietors of Warren and Wentworth Social Library, with continuance and succession forever, and in that name may sue and be sued in all actions, and may prosecute and defend the same to final judgment and Execution; and they are hereby vested with all the powers and privileges incident to corporations of a similar nature, and may enjoin penalties of disfranchisements or fine not exceeding four dollars for each offence, to be recovered by said society in an action of debt to their use in any court proper to try the same: And they may purchase and receive subscriptions, grants and donations of personal estate, not exceeding one thousand dollars, including the books belonging to said Library, for the purposes and use of this association—

And be it further enacted that said society be and they hereby are authorised to assemble at said Warren, on the last Thursday of February annually, to choose all such officers as may be found necessary for the orderly conducting the affairs of said corporation, who shall continue in office untill others are chosen in their room; and said corporation may assemble as often as may be found necessary for filling up any vacancies which may happen in said offices, and for transacting all other business, excepting the raising of monies, which shall always be done at their annual meeting, and at no other time, at which time they shall vote all necessary sums for defraying the expence of preserving said Library and for enlarging the same. And said Corporation shall have power to make such rules and bye-laws for the government of said society as may from time to time by them be found necessary; provided the same be not repugnant to the constitution and laws of this State.—

And be it further enacted that Jonathan Eames, Joshua Copps, and Ezra Bartlett, or either of them, are hereby authorized and impowered to call the first meeting of said proprietors at such time and place as they may appoint, by posting notifications for that purpose at some public places within said towns, at least fifteen days prior to said meeting, and the said proprietors at said meeting shall have the same power to choose officers and make bye-laws, as they have by this act at their annual meeting.

[CHAPTER 18.]

State of }
New Hampshire. }

AN ACT TO VEST IN JOSIAH MARSH THE PRIVILEGE OF KEEPING A FERRY OVER A CERTAIN PART OF CONNECTICUT RIVER.

[Approved December 26, 1799. Original Acts, vol. 16, p. 90; recorded Acts, vol. 12, p. 150.]

Whereas Josiah Marsh of Westmoreland in the County of Cheshire has petitioned the General Court setting forth that a ferry established by law and under good Regulations across Connecticut River at the lower part of Westmoreland in said State would be a great benefit and accommodation to the public and whereas the said Josiah Marsh has petitioned for the right and privilege of keeping and maintaining a ferry at any suitable place within four miles and one half mile from the South line of said Westmoreland and extending Northerly on said River: The prayer of which petition appearing reasonable— Therefore

Be it enacted by the Senate and House of Representatives in General Court convened that the exclusive privilege of keeping a ferry, with the immunities thereof, over Connecticut River to begin

one mile and a quarter from the South line of Westmoreland then to extend Northerly on said River until it meets Micah Read's grant be and hereby is granted to and vested in the said Josiah Marsh his heirs and assigns within the limits aforesaid: He the said Josiah Marsh giving Bond, with sufficient Sureties, in the sum of one thousand Dollars to the Clerk of the Court of Common Pleas for the County of Cheshire that the said ferry shall be constantly kept and well attended during said term.

And be it further enacted that the Rates of ferriage to be taken by the said Josiah Marsh, his heirs or assigns shall at all times be established by the Justices of the Court of Common Pleas in said County of Cheshire which Justices are hereby authorised and impowered to establish said Rates of ferriage, from time to time, as they shall judge proper.

And be it further enacted that if any person shall demand or receive any greater Rate of ferriage than the said Court of Common Pleas shall establish he shall for each such offence forfeit and pay to the party injured the sum of six Dollars to be recovered in an action of debt before any Court proper to try the same.

And be it further enacted that if any person shall for hire or reward transport over said River within the limits aforesaid any person, creature or thing such person so offending shall forfeit and pay to the said Josiah Marsh, his heirs or assigns the sum of six Dollars to be recovered in an action of debt in any Court proper to try the same.

Provided nevertheless that nothing in this Act shall be construed to effect the building of any bridge over said River within the limits aforesaid at any time hereafter which the General Court may think proper to grant.

[CHAPTER 19.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE SOCIAL LIBRARY IN DERRYFIELD.

[Approved December 26, 1799. Original Acts, vol. 16, p. 91; recorded Acts, vol. 12, p. 155.]

Be it enacted by the Senate and House of Representatives in General Court convened that Daniel Davis and Samuel P. Kidder and their Associates proprietors of said Library and all such as may hereafter become proprietors of the same be and they hereby are incorporated into a body politic by the name of the proprietors of the Social Library in Derryfield with continuation and succession forever, and in that name may sue and be sued, may plead and be impleaded in all personal actions and may prosecute and defend

the same to final judgment and execution, and they are hereby vested with all the powers and privileges incident to Corporations of a similar nature, and may enjoin penalties of disfranchisement or fine not exceeding four Dollars for each Offence, to be recovered by said Society in an Action of debt to their use in any Court proper to try the same, and they may purchase, and receive subscriptions, grants and donations of personal estate not exceeding one thousand Dollars for the purpose and use of their association.

And be it further enacted that said society be and they are hereby authorised to assemble at Derryfield aforesaid on the first Monday in November annually to choose all such Officers as may be found necessary for the orderly conducting the affairs of said Corporation who shall continue in Office until others are chosen in their Room; and that said Corporation may assemble as often as may be found necessary for filling up any vacancies which may happen in said Offices, and for transacting all other business excepting the raising of monies which shall be always done at their annual meeting and at no other time, at which time they shall vote all necessary sums for defreying the annual expence of preserving said Library and for enlarging the same. And said Corporation shall have power to make such Rules, Regulations and Bye-laws for the Government of said Society as may from time to time by them be found necessary; provided the same be not repugnant to the Constitution and laws of this State.

And be it further enacted that Daniel Davis and Samuel P. Kidder, or either of them, are hereby authorised and empowered to call the first meeting of said Proprietors at such time and place as they may appoint by posting a notification for that purpose at the meeting house in said Derryfield at least fifteen days prior to said day of meeting and the said Proprietors at said meeting shall have the same power to choose Officers and make Bye-laws as they have by this Act at their annual Meeting

[CHAPTER 20.]

State of }
New Hampshire. }

AN ACT FOR INCORPORATING CERTAIN PERSONS BY THE NAME OF
THE PROPRIETORS OF THE SOCIAL LIBRARY IN SUTTON, NEW
LONDON AND FISHERSFIELD.

[Approved December 26, 1799. Original Acts, vol. 16, p. 92; recorded Acts, vol. 12, p. 159.]

Be it enacted by the Senate and House of Representatives, in General Court convened that William Pressy, Joseph Harvey and Jonathan Eaton and their Associates proprietors of said Library

and all such as may hereafter become proprietors of the same be, and they hereby are incorporated into a body politic by the name of the Proprietors of the Social Library in Sutton, New London and Fishersfield with Continuation and Succession forever, and in that name may sue and be sued, may plead and be impleaded in all personal Actions and may prosecute and defend the same to final judgment and execution, and they are hereby vested with all the powers and privileges incident to Corporations of a similar nature and may enjoin penalties of disfranchisement or fine not exceeding four Dollars for each offence, to be recovered by said Society in an action of debt to their use in any Court proper to try the same, and they may make purchase and receive subscriptions, grants and donations of personal estate not exceeding one thousand Dollars for the purpose and use of their Association.

And be it further enacted that said Society be and they hereby are authorised to assemble at Sutton aforesaid on the first Monday in October annually to choose all such Officers as may be found necessary for the orderly conducting the affairs of said Corporation who shall continue in office until others are chosen in their Room; and that said Corporation may assemble as often as may be found necessary for filling up any vacancies which may happen in said offices and for transacting all other business excepting the raising of monies which shall be always done at their annual meeting and at no other time, at which time they shall vote all necessary sums for defreying the annual expence of preserving said Library and for enlarging the same. And said Corporation shall have power to make such Rules, Regulations and Bye-laws for the Government of said Society as may from time to time by them be found necessary provided the same be not repugnant to the Constitution and Laws of this State.

And be it further enacted that the said William Pressy, Joseph Harvey and Jonathan Eaton, or either two of them, are hereby authorised and impowered to call the first meeting of said Proprietors at such time and place as they may appoint by posting a notification at the meeting house in each of the towns of Sutton, New London and Fishersfield at least fifteen days prior to said meeting and the said proprietors at said meeting shall have the same power to choose Officers and make Rules, Regulations and Bye-laws as they have by this Act at their annual Meeting—

[CHAPTER 21.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE A COMPANY BY THE NAME OF THE PROPRIETORS OF THE SECOND TURNPIKE ROAD IN NEW HAMPSHIRE.

[Approved December 26, 1799. Original Acts, vol. 16, p. 93; recorded Acts, vol. 12, p. 173. Repealed by act of July 4, 1837, id., vol. 33, p. 5.]

Be it enacted by the Senate and House of Representatives in General Court convened that Josiah Stevens, Isaac Green, and Nathan Coolidge and their associates and successors be and they are hereby incorporated and made a body corporate and politic under the name of the proprietors of the second Turnpike Road in New Hampshire, and in that name may sue and prosecute, and be sued and prosecuted to final judgment and execution, and shall be and hereby are vested with all the powers and privileges which by law are incident to Corporations of a similar nature.

And be it further enacted that the said Josiah Stevens shall call a meeting of said proprietors by advertisement in the News papers printed at Walpole and Amherst to be holden at any suitable time and place, at least fourteen days from the first publication of said advertisement, and the proprietors by a vote of a majority of those present or represented at said meeting, accounting and allowing one vote to each share in all Cases, shall choose a Clerk who shall be sworn to the faithful discharge of said office, and shall also agree on the method of calling future meetings, and at the same time, or at any subsequent meetings, may elect such Officers and make and establish such Rules and Bye-laws as to them shall seem necessary and convenient for the Regulation and Government of said Corporation for carrying into effect the purpose aforesaid, and for collecting the tolls herein after established, and the same Bye-laws may cause to be executed, and annex penalties to the Breach thereof, provided the said Rules and Bye-laws are not repugnant to the Constitution and laws of this State, and all representations shall be proved by writing signed by the person to be represented, which shall be filed with the Clerk, and this Act and all Rules, Bye-laws, Regulations and proceedings of said Corporation, shall be fairly and truly recorded by the Clerk in a Book or Books provided and kept for that purpose.

And be it further enacted that the said Corporation are empowered to survey, lay out, make and keep in repair a turnpike Road of four Rods wide in such rout or tracts as in the best of their judgment and skill shall combine shortness of distance with the most practicable ground, from the lottery Bridge in Claremont to the plain in Amherst in this State near the Court house

And be it further enacted that if the said proprietors and the owners of land, over which the Road may run, shall disagree on the Compensation to be made for said land and the building or buildings thereon standing and shall not agree in appointing persons to ascertain such compensation, the Judges of the Court of Common Pleas in the County in which said land lies, if not interested, and if interested, the Judges of the Superior Court, upon application of the said proprietors, or the Owners of the land, reasonable notice of such application having been given, by the applicants to the adverse party, shall appoint a Committee who shall ascertain the same, in the same way as compensation is made to Owners of land for highways as usually laid out, and execution, on non payment, against said proprietors shall issue of course.

And be it further enacted that the Corporation may erect and fix such and so many gates or turnpikes upon and across said Road as will be necessary and sufficient to collect the tolls and duties herein after granted to the said Company, from all persons traveling in the same, with horses, cattle, carts and carriages.

And be it further enacted that it shall and may be lawful for said Company to appoint such and so many toll gatherers, as they shall think proper to collect and receive of and from all and every person or persons using said Road, the tolls and rates herein after mentioned, and to stop any person riding, leading or driving any horses, cattle, hogs, sheep, sulkey, chair, chaise, phaeton, coach, charriot, cart, waggon; sleigh, sled, or other carriage of burden or pleasure, from passing through the said gates or turnpikes, until they shall have respectively paid the same, that is to say, for every mile of said Road and so in proportion for a greater or less distance or greater or smaller number of sheep, hogs or cattle viz^t for every ten sheep or hogs one Cent, for every ten Cattle or horses two Cents, for every horse and his Rider or led horse one Cent, for every sulkey, Chair or Chaise with one horse and two wheels two Cents, for every Charriot, Coach, Stage-waggon, phaeton or Chaise with two horses and four wheels three Cents, for either of the Carriages last mentioned with four horses four Cents, for every other carriage of pleasure the like sums according to the number of wheels and horses drawing the same; for each Cart or other Carriage of burden drawn by one Beast one Cent, for each waggon, cart or other Carriage of burden drawn by two Beasts one Cent and an half; if by more than two Beasts, one Cent for each additional Yoke of Oxen or horse, for each sleigh drawn by one horse one Cent; if drawn by two horses two Cents, and if by more than two horses one Cent for every additional horse, for each sled drawn by one horse one Cent, for each sled drawn by two horses or a Yoke of Oxen one and a quarter Cent, and if by more than two horses or one Yoke of Oxen one Cent for each additional pair of horses or Yoke of Oxen; and at all times when the toll gatherer shall not attend his duty

the Gates shall be left open. And if any person shall with his Carriage, team, cattle or horses turn out of the said Road to pass the said turnpike gate on ground adjacent thereto, with intent to avoid the payment of the toll due by virtue of this Act, such person shall forfeit and pay three times so much as the legal toll would have been, to be recovered by the Treasurer of the said Corporation to the use thereof in an Action of debt or on the Case; Provided that no thing in this Act shall extend to intitle the said Corporation to demand toll of any person, who shall be passing with his horse or Carriage to or from public worship, or with his horse, team or Cattle or on foot, to or from any mill, or on the common and ordinary business of family concerns within the same town.

And be it further enacted that the said proprietors are hereby impowered to purchase and hold in fee simple so much land as will be necessary for said turnpike Road, and the share or shares of any of said proprietors may be transferred by Deed duly executed and acknowledged, and recorded by the Clerk of said Proprietors on their Records; and the share or shares of any Proprietor may be sold by said Corporation on non payment of assessments duly made agreeable to the Bye laws that may be agreed upon by said Corporation.

And be it further enacted that no toll shall be taken by said Corporation for any mile of said Road until eight hundred Dollars shall have been expended thereon, or a proportionate sum upon the whole number of miles, reckoning from the lottery Bridge in Claremont to the place where said Road may terminate.

And be it further enacted that said Corporation may be indicted for defect of Repairs of said Road, after the toll gates are erected, and fined in the same way and manner as Towns are by law finable for suffering Roads to be out of Repair, and said fine may be levied on the profits and tolls arising or accruing to said proprietors.

Provided nevertheless and be it further enacted that if the said turnpike Road shall in any part be the same, with any highway now used, it shall not be lawful for said Corporation to erect any gate or Turnpike on or across said part of the Road, that now is used and occupied as a public highway, any thing in this Act to the contrary notwithstanding.

And be it further enacted that when said Proprietors shall make it appear to the Judges of the Superior Court of Judicature that they have expended said sum of eight hundred Dollars on each mile or a proportionable sum as before mentioned the Proprietors shall have the liberty to erect the gates as aforesaid.

And be it further enacted that at the end of every ten years after the setting up any toll gate an account of the expenditures upon said Road, and the profits arising therefrom shall be laid before the Judges of the Superior Court for the time being, under forfeiture of

the privileges of this Act in future, and if the neat profits for the said ten years shall exceed twelve per Cent. per Annum the said Court may reduce the future toll, so far as that it may not exceed twelve per Cent. and if the profits shall not amount to six per Cent, the said Court may raise the toll so that it shall not be less than six, nor exceed twelve per Cent.

And be it further enacted that if in ten years the said Road shall not be completed, according to the provision in this Act, every part and Clause thereof shall be null and void:—Provided also that the State of New Hampshire may at any time after the expiration of forty Years from the passing of this Act, repay the proprietors of said Road, the amount of the sum expended by them thereon, with twelve per Cent. per Annum in addition thereto, deducting the toll actually received by the Proprietors, and in that case the said Road shall to all intents and purposes be the property of the State of New Hampshire any thing in this Act to the contrary notwithstanding.

[CHAPTER 22.]

State of }
New Hampshire. }

AN ACT TO RESTRAIN UNINCORPORATED BANKING ASSOCIATIONS—

[Approved December 27, 1799. Original Acts, vol. 16, p. 94; recorded Acts, vol. 12, p. 164. Laws, 1805 ed., p. 240; id., 1815 ed., p. 281; id., 1830 ed., p. 126.]

Whereas the association of Persons for the purpose of forming a Bank or Fund for the receiving deposits issuing Notes or Bank Bills making discounts and transacting the Banking Business may and often does prove highly injurious to the Public—

And whereas in every State it belongs to the Supreme power thereof to erect and establish such Banks as they may Judge necessary and useful, and to prescribe rules for the Government of the same, as also to prohibit and restrain all persons not authorised thereto by law, from carrying on the Banking Business:—

Therefore

Be it enacted by the Senate and House of Representatives in General Court convened, that every Company or Association of persons formed or to be formed for the purpose of establishing a Bank or Fund for receiving deposits, issuing Notes or Bank Bills, making discounts or loaning money or Bank Bills, and transacting the business which incorporated Banks may or do transact by virtue of an Act or Acts of incorporation, and every such institution, propriety or Bank formed or to be formed, without an Act of the Legislature authorizing the same, shall be deemed, and the

same is hereby declared unlawful. And if any person not authorized as aforesaid, shall subscribe to, or become a Proprietor, partner or Stockholder in such fund or bank, or become a member of such institution, company, or association, he shall forfeit and pay for every such offence, a sum not exceeding one thousand dollars, nor less than four hundred dollars, to be recovered by any person who will sue for the same, in an Action of Debt, one half thereof to his own use, and the other to the use of the State—

And be it further enacted, that if any person shall be concerned or interested in behalf of any such unincorporated Company, association or Bank institution, in the issuing of any Notes or Bank Bills, receiving any deposits, discounting any Notes, loaning any money or bank Notes or Bills, or signing any such notes or Bills as President or Cashier, or in any other way aiding or assisting in carrying on the business of such unincorporated Bank, such person shall for every such offence, forfeit and pay the sum of One hundred dollars, to be recovered and disposed of in manner aforesaid.

And be it further enacted that all Notes or securities for the payment of money or delivery of Property which shall be made, given, endorsed, or transferred to any such unincorporated Bank company or association as before described, or which shall be received by any such unincorporated Bank, Company or association, in payment of money, Bank Notes or Bills loaned or discounts made by them, or which shall be made, given or transferred to or received by any person or persons for their benefit and use, shall be null and void.—

And be it further enacted that every person who shall hold any Bank Note or Bill issued or paid out by any such unincorporated association, Bank or company, their agents, officers or servants, shall be entitled to demand and recover the full sum expressed in such Bank Note or Bill of such Company association or Bank, the President, Cashier or any member or Stockholder thereof at his election—

And be it further enacted that this Act shall not be construed to affect any such company, propriety, association, or Bank already formed, or any person or persons who shall become member or members thereof, until the First Day of August next—

[CHAPTER 23.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE A CERTAIN TRACT OF LAND INTO A TOWN
 BY THE NAME OF BETHLEHEM.

[Approved December 27, 1799. Original Acts, vol. 16, p. 95; recorded Acts, vol. 12, p. 169.]

Whereas Nathaniel Snow and others have preferred a petition to the General Court requesting that a certain tract of land situate in the County of Grafton, might, for certain reasons therein stated, be incorporated into a town;—which after a full hearing, appeared to be just and reasonable. Therefore;

Be it enacted by the Senate and House of Representatives in General Court convened, that a Township be and hereby is erected and incorporated by the name of Bethlehem, butted, bounded, and described as follows viz. Beginning at the North East corner of Franconia, thence running North fifty eight degrees west, about nine miles and three fourths of a mile, to the Southeastly corner of Littleton; thence North fifty six degrees east, about six miles and one half, to the Southwestly corner of Whitefield, thence South fifty eight degrees east about five miles and ten rods to the line of Britton woods— thence Southwardly about three miles and thirty rods on the line of Britton woods to the Southwest corner of said Britton woods thence on a strait line about three miles and one hundred rods to the bounds first mentioned.

And the Inhabitants of said tract of land are hereby erected into a body Politic and Corporate to have continuance and succession forever— and are invested with all the powers and enfranchised with all the privileges, rights, benefits and immunities which any towns in this State by law hold and enjoy. To have and to hold to said Inhabitants and their successors forever.—

And Jeremiah Hutchins Esquire is hereby appointed, authorised, and empowered to call the first meeting of said Inhabitants for the purpose of choosing all necessary and customary Town Officers giving at least fourteen days notice of the time and place of holding said meeting in said Town of Bethlehem, and the articles to be acted upon; who shall attend and preside in said meeting untill a moderator shall be chosen; and the officers then and there chosen shall be invested with all the power and authority that like officers of any other towns in this State by Law are invested with—

And the meetings of the Inhabitants of said Town for the choice of town officers, shall be holden on the first Tuesday of March annually forever.

And be it further enacted, that the lands situate in said town of Bethlehem, which belong to this State, shall not be liable to taxation, while the property thereof remains in the State, in consequence of said tract of land being formed into a Township as aforesaid—

[CHAPTER 24.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE A COMPANY BY THE NAME OF THE PROPRIETORS OF THE THIRD TURNPIKE ROAD IN NEW HAMPSHIRE.

[Approved December 27, 1799. Original Acts, vol. 16, p. 96; recorded Acts, vol. 12, p. 185. See act of June 18, 1806, id., vol. 16, p. 374; additional act of December 13, 1808, id., vol. 18, p. 145; act of June 15, 1811; id., vol. 19, p. 16. The road was authorized to be discontinued by the act of December 21, 1824, id., vol. 22, p. 591.]

Be it enacted by the Senate and House of Representatives in General Court convened, that Frederick W^m Geyer, Benjamin Bellows, Benjamin West Amasa Allen, John Bellows Daniel Newcomb Peleg Sprague, and Josiah Richardson, and their associates and successors be and they are hereby incorporated and made a body corporate and politic under the name of the proprietors of the third Turnpike road in New Hampshire, and in that name may sue and prosecute, and be sued and prosecuted to final judgment and execution, and shall be and hereby are vested with all the powers and privileges which by law are incident to Corporations of a similar nature

And be it further enacted that the said Frederick W^m Geyer or Benjamin Bellows shall Call a meeting of said proprietors by advertisement in the News paper printed at Walpole, to be holden at any suitable time and place at least thirty days from the first publication of said advertisement, and the proprietors by a vote of a majority of those present or represented at said meeting accounting and allowing one vote to each share in all cases, shall choose a Clerk who shall be sworn to the faithful discharge of said office, and shall also agree on the method of calling future meetings, and at the same time or at any subsequent meeting's may elect such officers and make and establish such rules and bye laws as to them shall seem necessary and convenient for the regulation and Government of said Corporation, for Carrying into effect the purpose aforesaid and for collecting the toll herein after established and the same bye laws, may cause to be executed and annex penalties to the breach thereof provided the said rules and bye laws are not repugnant to the Constitution and laws of this state, and all representa-

tions shall be proved by writing signed by the Person to be represented which shall be filed with the Clerk, and this Act and all rules bye laws regulations and proceedings of said Corporation shall be fairly and truly recorded by the Clerk in a Book or Books provided and kept for that purpose

And be it further enacted that the said Corporation are impowered to survey, lay out, make and keep in repair a Turnpike road of four rod wide in such rout or track as in the best of their judgment and skill, shall combine shortness of distance with the most practicable ground, from Bellows falls in Walpole, on Connecticut River Through Keene toward Boston to Massachusetts line.

And be it further enacted that if said proprietors and the owners of land over which the road may run, shall disagree on the compensation to be made for said land and the Building or Buildings thereon standing, and shall not agree in appointing Persons to ascertain such compensation, the judges of the Court of Common Pleas in the County in which said land lies, if not interested, and if interested, the judges of the Superior Court upon application of the said proprietors, or the owners of the land reasonable notice of such application having been given, by the applicants to the adverse party, shall appoint a Committee who shall ascertain the same, in the same way as compensation is made to owners of land for high ways as usually laid out and execution on non payment, against said proprietors shall issue of course.

And be it further enacted that the Corporation may erect and fix such and so many gates or Turnpikes upon and across said road as will be necessary and surficient to collect the tolls and duties herein after granted to the said Company, from all Persons traveling in the same with horses Cattle Carts and Carriages.

And be it further enacted that it shall and may be lawful for said Company to appoint such and so many toll gatherers as they shall think proper to collect and receive of and from all and every person or Persons using said road the tolls and rates herein after mentioned and to stop any Person riding leading or driving any horses, Cattle, hogs, sheep sulkey chair, chaise phaeton coach charriot cart, Waggon sleigh sled, or other carriage of burthen or pleasure, from passing through the said gates or Turnpikes, untill they shall have respectively paid the same that is to say for every mile of said road and so in proportion for a greater or less distance or greater or smaller number of sheep, hogs or Cattle (viz) for every fifteen sheep or hogs one Cent for every fifteen Cattle or horses two Cents for every horse and his rider or led horse three fourths of one Cent, for every Sulkey Chair or Chaise with one horse and two wheels one and half Cents, for every Charriot, Coach, Stage waggon Phaeton or Chaise with two horses and four wheels three Cents, for either of the Carriages last mentioned with four horses four Cents, for every other Carriage of pleasure the like sums according to the

number of wheels and horses drawing the same, for each cart or other Carriage of burthen with wheels drawn by one Beast one Cent, for each waggon, cart or other Carriage of burthen drawn by two Beasts one and half Cents, if by more than two Beasts one Cent for each additional yoke of oxen or horse, for each Sleigh drawn by one horse three fourths of one Cent if drawn by two horses one and half Cents and if by more than two horses half a Cent for every additional horse, for each Sled drawn by one horse half of one Cent, for each sled drawn by two horses or a yoke of Oxen one Cent, and if by more than two horses or one yoke of oxen one Cent for each additional pare of horses or yoke of Oxen and at all times when the toll gatherer shall not attend his duty the gates shall be left open, and if any person shall with his Carriage, team Cattle or horses turn out of said road to pass the Said Turnpike gates on ground adjacent thereto, with intent to avoid the payment of the toll due by virtue of this Act, such Person shall forfeit and pay three times, so much as the legal toll would have been to be recovered by the Treasurer of the said Corporation to the Use thereof in an action of debt on the Case. Provided that nothing in this act shall extend to intitle the said Corporation to demand toll of any Person who shall be passing with his horse or Carriage to or from publick worship or with his horse, team or Cattle or on foot to or from any Mill or on their common or ordinary business of family concerns within the same town.

And be it further enacted that the said proprietors are hereby impowered to purchase and hold in fee simple so much land as will be necessary for said Turnpike road and the Share or Shares of any of said proprietors may be transferred by deed duly executed and acknowledged and recorded by the Clerk of said proprietors on their record, and the Share or Shares of any proprietor may be sold by said Corporation on non payment of assessment duly made agreeable to the bye laws that may be agreed upon by said Corporation

And be it further enacted that no toll shall be taken by said Corporation for any mile of said road untill Six hundred dollars Shall have been expended thereon or a proportionate sum upon the whole number of miles reckoning from Bellows falls in Walpole to the place where said road may terminate.

And be it further enacted that said Corporation may be indicted for defect of repairs of said road, after the toll gates are erected, and fined in the same way and manner as Towns are by law finable for Suffering road to be out of repare, and said fine may be levied on the profits and tolls arising or accruing to said proprietors.

Provided nevertheless and be it further enacted that if said Turnpike road shall in any part be the same with any highway now used, it shall not be lawful for said Corporation to erect any gate or Turnpike on or across said part of the road that now is used and

occupied as a publick highway any thing in this Act to the contrary notwithstanding.

And be it further enacted that when said proprietors shall make it appear to the Judges of the Superior Court of Judicature that they have expended said sum of six hundred dollars on each Mile or a proportionable sum as before mentioned the proprietors shall have the liberty to erect the gates as aforesaid

And be it further enacted that at the end of every ten years after the setting up any toll gates an account of the expenditures upon said road and the profits arising therefrom shall be laid before the Judges of the Superior Court for the time being, under forfeiture of the priviledges of this Act in future, and if the neat profits for the said ten years shall exceed twelve per cent per Annum the said Court may reduce the future toll, so far as that it may not exceed twelve per Cent, and if the profits shall not amount to six per Cent the said Court may raise the toll so that it shall not be less than six nor exceed twelve per Cent.

And be it further enacted that if in ten years the said road shall not be compleated according to the provisions in this Act, every part and Clause thereof shall be null and void provided also that the state of New Hampshire may at any time after the expiration of forty years from the passing of this act, repay the proprietors of said road the amount of the sum expended by them thereon, with twelve per Cent per Annum in addition thereto, deducting the toll actually received by the proprietors, and in that case the said road shall to all intents and purposes be the property of the state of New Hampshire any thing in this act to the contrary notwithstanding

[CHAPTER 25.]

State of }
New Hampshire. }

AN ACT IMPOWERING THE INHABITANTS OF WALES' LOCATION, IN THE COUNTY OF GRAFTON, TO RAISE A TAX ON ALL THE LANDS IN SAID LOCATION, PUBLIC RIGHTS EXCEPTED, FOR THE PURPOSE OF MAKING ROADS AND BRIDGES—

[Approved December 27, 1799. Original Acts, vol. 16, p. 97; recorded Acts, vol. 12, p. 198.]

Whereas a petition has been presented the General Court by a number of the Inhabitants of Wales' Location in the County of Grafton, praying among other things that the lands in said Location may be taxed for the purposes aforesaid— Therefore;—

Be it enacted by the Senate and House of Representatives in General Court convened, that Noah Buffington, Hopestill Jennison,

and Benjamin Strong, be and they hereby are appointed a Committee to assess a Tax of four cents on each acre of Land in said Location, except public rights, for one year, and the said Committee shall collect the same, to be appropriated to the sole use of making and repairing roads and bridges in said Location; and the said Committee shall lay out a road through said Location, and make return of the survey thereof to the Clerk of the Court of Common Pleas in said county.—And the said tax shall be collected in the same way and manner as State taxes assessed on Non-resident proprietors by Law is; except that the list of taxes left with the Deputy Secretary, shall remain in his office till the fifteenth of September, instead of the first, as by law is otherwise directed—

And be it further enacted that the said Committee shall in the month of May in the year when said tax is assessed, give public notice in the New-Hampshire Gazette, and in the News-paper printed at Hanover, two weeks successively, of the assessment of said tax, and of the leave granted to the resident and non-resident owners to work out said tax as hereafter provided—

And be it further enacted that the owners of land in said Location, whether residents or non-residents, shall have the liberty of working out the said taxes, on the highways and bridges of said town, as the said Committee shall direct, whose duty it shall be to superintend the same, or appoint some suitable person for that purpose; at the rate of six cents per hour, for every able-bodied man, finding his own diet and tools; and for ox work at the same price per yoke; any time between the first of June and the fifteenth of September, in the year when the tax is assessed—And if the tax aforesaid is not duly paid, or worked out as above provided, on or before the fifteenth of September in the year when such tax is assessed, the said Committee shall proceed in collecting the same, in the same way and manner as Collectors of State taxes are by law directed to do—

And be it further enacted that when any lands are sold at public auction by virtue of this Act, the aforesaid Committee are hereby empowered to give a good and valid deed of the same; and the same time shall be allowed for redemption, and the same mode pursued in redeeming, as in the case of lands sold for the non payment of State taxes; provided that no deed shall be executed till one year after the sale—

And the said Committee shall, previous to the collection of said tax, give bond in the penalty of five hundred Dollars, to the Clerk of the Court of Common Pleas for the County of Grafton, for the faithful appropriation of the tax aforesaid, within two years from the first advertising; agreeable to the true intention of this Act; which bond may be sued and recovered in any Court competent to try the same, and one half the sum recovered shall be for the use of the proprietors, and the other half to the use of the County—

[CHAPTER 26.]

State of }
New Hampshire. }

AN ACT TO RESTORE JAMES KNIGHT TO HIS LAW.

[Approved December 27, 1799. Original Acts, vol. 16, p. 98; recorded Acts, vol. 12, p. 204.]

Whereas James Knight hath petitioned the General Court setting forth that he at a Court of Common Pleas held at Portsmouth in and for the County of Rockingham on the first Tuesday of January one thousand, seven hundred and ninety nine recovered Judgment against Nathaniel Peabody upon an action that was then and there demurred and appealed to the then next Superior Court by the said Peabody for the sum of three hundred and five Dollars and five Cents damage and eight Dollars and seventy eight Cents Cost and that he depended upon his Counsel to prosecute his said Action to final Judgment and Execution did not in person attend the Superior Court in February last being the Court appealed to—and by accident or mistake, the said Knight's Counsel did not file a Complaint at said Superior Court although the said Peabody did not enter, nor did he cause his said appeal to be entered at said Court and that in September last at Exeter the said Knight applied to the Superior Court to restore him to his law and permit him to file his Complaint at that term but the Judges of said Court said that the Act empowering them to give relief in certain Cases did not touch his Case and that he was without Remedy unless the Legislature provided him one: Wherefore he prayed to be restored to his Law; which prayer appearing reasonable, Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened that the said James Knight be and he hereby is fully authorised and impowered to file his Complaint at the Superior Court to be holden at Portsmouth in and for the County of Rockingham on the first Tuesday of February next in case the said Peabody shall not then enter his appeal which he is hereby authorised and impowered to do and the said Superior Court is hereby fully authorised and impowered to sustain said Complaint, or appeal, as the case may be, to affirm the Judgment of the said Court of Common Pleas and to render Judgment and issue Execution on the same in the same way and manner as they would have done in Case the said Complaint had been filed, or appeal entered in said Court in February Term last.—Provided nevertheless that it shall be the duty of the said James Knight to cause a Copy of this Act to be left at the last and usual place of abode of the said Peabody in this County at least fifteen days before the sitting of said Superior Court without which this Act shall be utterly void

[CHAPTER 27.]

State of }
New Hampshire. }

AN ACT IMPOWERING THE INHABITANTS OF NORTHUMBERLAND IN THE COUNTY OF GRAFTON TO RAISE A TAX ON ALL THE LANDS IN SAID NORTHUMBERLAND, PUBLIC RIGHTS EXCEPTED, FOR THE PURPOSE OF BUILDING A BRIDGE OVER AMMONUSUCK RIVER

[Approved December 27, 1799. Original Acts, vol. 16, p. 99; recorded Acts, vol. 12, p. 208.]

Whereas a petition has been presented to the General Court by a number of the Inhabitants of Northumberland in the County of Grafton praying that the lands in said Northumberland, public Rights excepted, may be taxed for the purpose aforesaid.— Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened that Jeremiah Eames, Joseph Peverly and John Moore be and they hereby are appointed a Committee to assess a tax of three Cents on each Acre of land in said Northumberland, except public Rights, for one Year, and the said Committee shall collect the same, to be appropriated to the sole use of building said Bridge, and the said tax shall be collected in the same way and manner as State taxes assessed on Non Resident Proprietors by law are; except that the list of taxes left with the Deputy Secretary shall remain in his Office till the fifteenth day of September, instead of the first, as by law is otherwise directed.

And be it further enacted that the said Committee shall in the month of May in the Year when said tax is assessed, give public notice in the New Hampshire Gazette, and in the Dartmouth Newspaper printed at Hanover, two weeks successively, of the assessment of said tax, and of the leave granted to the Resident and Non Resident Owners to work out said tax as hereafter provided.

And be it further enacted that the Owners of land in said Northumberland whether Residents or Non Residents shall have the liberty of working out said taxes on said Bridge as the said Committee shall direct, whose duty it shall be to superintend the same, or appoint some suitable person for that purpose, at the Rate of six Cents per hour for every able bodied man finding his own diet and tools, and for Ox-work at the same price per Yoke, at any time between the first of June and the fifteenth of September in the Year when the tax is assessed; and if the tax aforesaid is not duly paid or worked out, as above provided, on or before the fifteenth day of September, in the Year when such tax is assessed, the said Committee shall proceed in collecting the same, in the same way and manner as Collectors of State taxes are by law directed to do.

And be it further enacted that when any lands are sold at public auction by virtue of this Act, the aforesaid Committee are hereby impowered to give a good and valid Deed of the same, and the same time shall be allowed for Redemption, and the same mode pursued in Redeeming as in the Case of lands sold for the Non-Payment of State taxes; provided that no Deed shall be executed till one Year after the sale. And the said Committee shall, previous to the Collection of said tax, give Bond in the penalty of one thousand Dollars to the Clerk of the Court, of Common Pleas for the County of Grafton, for the faithful appropriation of the tax aforesaid, within two years from the first advertising, agreeably to the true intention of this Act, which Bond may be sued and recovered in any Court competent to try the same, and one-half of the sum recovered shall be for the use of the Proprietors, and the other half to the use of the County.

[CHAPTER 28.]

State of)
New Hampshire. {

AN ACT FURTHER TO POSTPONE THE OPERATION OF AN ACT, ENTITLED "AN ACT TO REGULATE SCALE BEAMS, STEELYARDS, WEIGHTS & MEASURES" PASSED THE TWELFTH DAY OF DECEMBER ONE THOUSAND, SEVEN HUNDRED AND NINETY SEVEN.

[Approved December 30, 1799. Original Acts, vol. 16, p. 100; recorded Acts, vol. 12, p. 6. The act referred to is printed in Laws, 1805 ed., p. 375 under date of December 15, 1797.]

Be it enacted by the Senate and House of Representatives in General Court convened that the operation of the aforementioned Act and every clause and Matter therein, be postponed for the term of one year from and after the passing of this Act, and no longer

[CHAPTER 29.]

State of)
New Hampshire. {

AN ACT TO ANNEX CERTAIN ISLANDS IN WINNIPISSIOKEE POND TO CERTAIN TOWNS IN THE COUNTY OF STRAFFORD

[Approved December 30, 1799. Original Acts, vol. 16, p. 101; recorded Acts, vol. 12, p. 12.]

Be it enacted by the Senate & House of Representatives in General Court convened that the following Islands in Winnipeseokee

Pond be & they hereby are annexed to the several & respective Towns hereafter named to wit Governor's Island to Gilmantown Stone dam & Bear Islands to Meredith Long Island to Moultonborough Cow Island to Tuftonborough & Barn door Island to Alton & the same Islands forever hereafter shall be deemed & taken to all intents & Purposes as a part or parts of the several & respective Towns to which they are hereby annexed in the same manner as if originally incorporated therewith—

Provided always that this Act shall not take effect til the first day of March next—

[CHAPTER 30.]

State of {
New Hampshire. }

AN ACT FOR RAISING TWENTY SEVEN THOUSAND DOLLARS FOR THE
USE OF THIS STATE.

[Approved December 30, 1799. Original Acts, vol. 16, p. 102; recorded Acts, vol. 12, p. 14.]

Be it enacted by the Senate and House of Representatives in General Court convened that there be raised the current Year for the use of this State twenty seven thousand Dollars which sum shall be assessed, collected and paid into the Treasury on or before the first day of December next and is appropriated for discharging the debts due from this State and for the support of Government.—

And be it further enacted that the Treasurer be and he hereby is directed seasonably to issue his Warrants to the Selectmen or Assessors of the several towns and places in this State agreeable to the last proportion Act for assessing and collecting the aforesaid sum of twenty seven thousand Dollars. And the Selectmen and Assessors aforesaid are hereby required respectively to assess and levy the same according to law: and cause the same to be paid into the Treasury of this State on or before the first day of December next and the Treasurer shall issue his Extents for all Taxes which shall then remain unpaid.

[CHAPTER 31.]

State of }
New Hampshire. }

AN ACT TO AUTHORISE SAMUEL BLODGET ESQ^R TO SET UP A LOTTERY
 FOR THE PURPOSE OF LOCKING AMOSKEAG FALLS—

[Approved December 30, 1799. Original Acts, vol. 16, p. 103; recorded Acts, vol. 12, p. 214. See act of December 24, 1798, id., vol. 11, p. 154; also act of June 18, 1802, id., vol. 11, p. 331.]

Whereas Samuel Blodget of Derryfield Esquire has petitioned the General Court representing that an Inland Navigation to the Interior Parts of this State would be of public Utility—That he has been at very great Expence in Locking & Canaling said Falls, that he has actually expended thirty five thousand Dollars in that arduous Undertaking but the Expences far exceeding his Expectation and it appearing from a late Survey that a further Sum of nine thousand Dollars is requisite to compleat the same, and praying that a Lottery may be granted him to raise said Sum for the Purpose of finishing said Canal, which Petition appearing reasonable—

Be it therefore Enacted by the Senate and House of Representatives in general Court convened that the said Samuel Blodget his heirs or assigns be & they hereby are authorised & empowered to set up and carry into Effect a Lottery for the purpose of raising a Sum not exceeding nine thousand Dollars exclusive of the necessary charges attending the same. Provided that the said Lottery be drawn and finished within the term of three Years from the passing of this act—

And be it further Enacted That his Excellency the Governor be and he hereby is empowered to appoint three suitable Persons Managers of said Lottery, who shall be under oath, to be administered by a Justice of the Peace, for the faithful Discharge of the said Trust, who shall pay all prize Tickets according to their tenor, and shall refund all Sums which may be received for Tickets in said Lottery in case the same should not be drawn and finished within the Term aforesaid— And the said Managers shall give bonds to the said Samuel Blodget his heirs & assigns to pay him or them the neat proceeds of said Lottery, and shall render an Account of their Proceedings and of all charges and demands concerning said Lottery to the general Court when thereunto required, for which Service they shall receive a reasonable Compensation out of the profits accruing from said Lottery—

And be it further Enacted that the said Samuel Blodget give bond with Sureties to the Treasurer of this State that the neat proceeds arising from said Lottery shall actually be expended in Locking &

Canaling said Falls and in case the same shall not be so expended that he shall pay the said Proceeds into the Treasury of this State for the Use and benefit of said State—

[CHAPTER 32.]

State of {
New Hampshire. }

AN ACT IN ADDITION TO AND AMENDMENT OF AN ACT ENTITLED AN ACT FOR THE LIMITATION OF ACTIONS AND FOR PREVENTING VEXATIOUS SUITS PASSED THE SIXTEENTH DAY OF JUNE A.D. 1791.

[Approved December 30, 1799. Original Acts, vol. 16, p. 104; recorded Acts, vol. 12, p. 218. Laws, 1805 ed., p. 139; id., 1815 ed., p. 168. The act referred to is printed in Laws of New Hampshire, vol. 5, p. 769. Repealed, June 30, 1825, Laws, 1830 ed., p. 76.]

Be it enacted by the Senate and House of Representatives in General Court convened that the aforesaid Act shall not extend to bar any Action hereafter brought upon any note in writing made and signed by any person or persons for securing the payment of which a Mortgage has been or shall be given; nor shall it extend to bar any action brought by any Mortgagee against the Mortgagor upon a Mortgage where no note is given; but that the same shall remain as though said Act had never been made.

And be it further enacted that the Act aforesaid shall not extend to bar any Action hereafter brought upon any Contract therein mentioned by any Executor or Administrator until the expiration of two years from the time of proving the Will or taking out letters of Administration provided the Testator or Intestate had cause of Action at the time of his or her decease, nor shall said Act be construed to bar any Action hereafter brought against any Executor or Administrator until the expiration of two Years from the time of proving the Will or taking letters of Administration provided the Testator or Intestate was liable to an Action at the time of his or her decease any thing in said Act to the contrary notwithstanding.

[ORDERS, RESOLVES AND VOTES OF A LEGISLATIVE NATURE PASSED DURING THIS SESSION.]

1799, December 10.

The Committee on the Petition from Wendall & Goshen praying to be classed for sending a Representative to the General Court in future reported that the prayer thereof be granted which report being read and considered, Voted that it be received and Accepted and that they have leave to send a Representative accordingly—

[House Journal, 1794-99, p. 749. Senate Journal, 1797-1800, p. 325.]

1799, December 10.

The Committee on the Petition of Samuel Emerson Esq^r and others Inhabitants of Plymouth praying that they may have the liberty of sending a Representative to the General Court in future and that the Towns of Wentworth and Rumney may be classed for the purpose of sending a Representative to the General Court in future reported that the prayer of said Petition be granted which report being read and considered voted that it be received and accepted and that they have leave to send Representatives accordingly—

[House Journal, 1794-99, p. 750. Senate Journal, 1797-1800, p. 325.]

1799, December 11.

Whereas the Constitution of this State makes it the duty of the Select men and assessors of the Several Towns and places of this State in warning the first Annual meeting for the choice of Senators after the expiration of Seven years from the adoption of the Constitution to insert expressly in the warrant this purpose among the others for the meeting (viz) "to take the sense of the qualified voters on the Subject of a revision of the Constitution" which not being a duty incumbent on the Select men and assessors in this state may through inattention be neglected—Therefore— Resolved that (seven years having expired since the adoption of the Constitution) the Select men and Assessors of the several Towns and places in this State be requested to attend to and discharge the duty enjoined on them by the Constitution in warning the next Annual meeting so that the sense of the qualified voters may be taken on said question and the votes returned to the next Session of the General Court in order that the inconveniencies that would arise if the sense of the people should not be taken on said question at the next annual meeting may be avoided—

[House Journal, 1794-99, p. 758. Senate Journal, 1797-1800, p. 329.]

1799, December 11.

The Committee to consider of the Petitions respecting Representation Reported that the Towns of Orange & Grafton be classed for the purpose of Representation the Town of Canaan being taken of notwithstanding—also that the towns of Lancaster and Jafferson be a Class for Representation—also that Littleton Dalton & Bethlehem be classed for Representation—which report being read and considered—voted—that it be received and Accepted and that each of said Classes have the privilege of Sending a Representative in future—

[House Journal, 1794-99, p. 757. Senate Journal, 1797-1800, p. 328.]

1799, December 18.

Resolved that the Proprietors of the Towns of Stratford Piercey, Mainsborough, Shelburne & Shelburne addition be allowed a further time of one year for the purpose of opening and making a road from said Strat-

ford to the lower line of Shelburne as by an Act of the General Court passed January 16, 1795 they were respectively required to do any thing in said Act to the Contrary notwithstanding and that the Treasurer of the state is hereby required to govern himself accordingly—

[House Journal, 1794-99, p. 773. Senate Journal, 1797-1800, p. 345.]

1797, December 19.

The Committee to take into consideration the propriety of furnishing the Artillery Companies in this State with necessary apparatus ammunition &c for their better Instruction in Military duty—having reported—Resolved that each Company of Artillery now formed or that may be hereafter formed, when Organized, be furnished at the expence of the state with at least one piece of Ordnance with carriage, harness and Apparatus compleat—one Small standard and the allowance for musick that are granted to the companies of Infantry—That to each piece of Ordnance there be annually allowed twenty five pounds of Cannon powder, ten balls suitable for the same, and four pieces of port fire—

[House Journal, 1794-99, p. 774. Senate Journal, 1797-1800, p. 346.]

1799, December 27.

Upon reading and considering the Petition of the Select men of Landaff and the report of a Committee thereon Voted that the prayer thereof be granted and that the Towns of Landaff Franconia & Lincoln be classed for the purpose of Representation—which report being read and considered voted that it be received and accepted and that they have leave to send a Representative accordingly—

[House Journal, 1794-99, p. 799. Senate Journal, 1797-1800, p. 366.]

[NINTH GENERAL COURT.]

[*Held at Concord, Two Sessions, June 4, 1800, to December 10, 1800.*]

[OFFICERS OF THE GOVERNMENT.]

JOHN TAYLOR GILMAN, GOVERNOR.
 JOSEPH PEARSON, SECRETARY.
 NATHANIEL PARKER, DEPUTY SECRETARY.
 OLIVER PEABODY, TREASURER.
 JOSHUA ATHERTON, ATTORNEY GENERAL.
 AMOS SHEPARD, PRESIDENT OF THE SENATE.
 JOHN PRENTICE, SPEAKER OF THE HOUSE.

[MEMBERS OF THE COUNCIL.]

Joseph Blanchard,	Chester.
Aaron Wingate,	Farmington.
Robert Wallace,	Henniker.
Samuel Stevens,	Charlestown.
Russell Freeman,	Hanover.

[MEMBERS OF THE SENATE.]

Moses Leavitt,	North Hampton.
Jeremiah Fogg,	Kensington.
Silas Betton,	Salem.
Michael McClary,	Epsom.
William Hale,	Dover.
Nathan Taylor,	Sanbornton.
John Orr,	Bedford.
James Flanders,	Warner.
Ephraim Hartwell,	New Ipswich.
* Daniel Newcomb,	Keene.
Amos Shepard,	Alstead.
John Mooney,	Meredith.

* Daniel Newcomb resigned November 21, 1800. and Elisha Whitcomb of Swanzy was chosen to fill the vacancy.

[MEMBERS OF THE HOUSE.]

Acworth,	William Grout.
Alexandria. See Bridgewater.	
Allenstown and)	George Evans.
Bow,)	

Alstead,	Moses Hale.
Alton. See New Durham.	
Amherst,	William Bradford.
Andover,	Joseph Philbrick.
Antrim and {	Jonathan Nesmith.
Windsor, }	
Atkinson and {	John White.
Plaistow, }	
Barnstead,	John Nutter.
Barrington,	Isaac Waldron.
	Joseph Boodey.
Bartlett. See Conway.	
Bath,	Jeremiah Hutchins.
Bedford,	David Patten.
Bethlehem. See Dalton.	
Boscawen,	Enoch Gerrish.
Bow. See Allentown.	
Bradford. See Fishersfield.	
Brentwood,	Jabez Smith.
Bridgewater and {	Thomas Crawford.
Alexandria, }	
Brookfield. See Middleton.	
Brookline. See Milford.	
Burton. See Tamworth.	
Campton. See Holderness.	
Canaan,	Ebenezer Clark.
Candia,	Thomas Wilson.
Canterbury,	David McCrillis.
Center Harbor. See New Hampton.	
Charlestown and {	Ephraim Carpenter.
Langdon, }	
Chester,	Simon Towle.
Chesterfield,	Benjamin Haskell.
Chichester,	Nathaniel Morrill.
Claremont,	Ezra Jones.
Cockburne,	
Colebrook, }	Daniel Brainard.
Stewartstown, }	
Shelburne and }	
Wales Location, }	
Colebrook. See Cockburne.	
Concord,	Jacob Abbott.
Concord (Lisbon). See Lyman.	
Conway, }	
Bartlett and }	Richard Eastman.
Locations, }	
Cornish,	Ithamar Chase.

Coventry.	See Haverhill.	
Croydon,		Benjamin Barton.
Dalton.	See Littleton.	
Danbury.	See New Chester.	
Deerfield,		Richard Jenness.
Deering,		Robert Alcock.
Derryfield.	See Litchfield.	
Dorchester.	See Groton.	
Dover,		Joseph Gage.
Dublin,		Thaddeus Mason.
Dunbarton,		Joseph Leach.
Dunstable,		Frederick French.
Durham,		William Ballard.
East Kingston.	See South Hampton.	
Eaton.	See Tamworth.	
Effingham and	}	Carr Leavitt.
Ossipee,		
Enfield,		Jesse Johnson.
Epping,		William Plumer.
Epsom,		Josiah Sanborn.
Exeter,		Benjamin Connor.
Farmington,		Richard Furber.
Fishersfield and	}	Humphrey Jackman.
Bradford,		
Fitzwilliam,		Nahum Parker.
Francestown,		Peter Farnum.
Franconia.	See Landaff.	
Gilmanton,		Samuel Shepard.
		Joseph Young.
Gilsum.	See Surry.	
Goffstown,		John Butterfield.
Goshen.	See Wendell.	
Greenfield and	}	Joseph Herrick.
Society Land,		
Greenland,		Enoch Clark.
Grafton.	See Orange.	
Groton,	}	Asahel Buell.
Dorchester and		
Hebron,		John True.
Hampstead,		Oliver Whipple.
Hampton,		Elisha Brown.
Hampton Falls and	}	William Brooks.
Seabrook,		Benjamin J. Gilbert.
Hancock,		Moor Russell.
Hanover,		
Haverhill and	}	
Coventry,		

Hawke and	}	Jonathan Clough.
Sandown,	}	
Hebron. See Groton.		
Henniker,		Jonas Bowman.
Hillsborough,		Benjamin Pierce.
Hinsdale,		Bunker Gay.
Holderness,	}	
Campton and	}	Moses Nichols.
Thornton,	}	
Hollis,		Jeremiah Ames.
Hopkinton,		Philip Greeley.
Jaffrey,		Joseph Thorndike.
Jefferson. See Lancaster.		
Keene,		Lockhart Willard.
Kensington,		Joseph Brown.
Kingston,		Jacob Peaslee.
Lancaster and	}	Richard C. Everett.
Jefferson,	}	
Landaff,	}	
Lincoln and	}	Stephen P. Webster.
Franconia,	}	
Langdon. See Charlestown.		
Lebanon,		Elisha Payne.
Lee,		Nathaniel Clough.
Lempster and	}	James Bingham.
Marlow,	}	
Lincoln. See Landaff.		
Litchfield and	}	Clifton Claggett.
Derryfield,	}	
Littleton,	}	
Dalton and	}	David Goodall.
Bethlehem,	}	
Londonderry,		John Prentice.
		John Bell.
Loudon,		Samuel Piper.
Lyman and	}	Daniel Moulton.
Concord (Lisbon)	}	John Fairfield.
Lyme,		
Lyndeborough,		Benjamin Jones.
Madbury,		Ebenezer Demeritt.
Marlborough,		Phinehas Farrar.
Marlow. See Lempster.		
Mason,		James Wood.
Meredith,		Richard Boynton.
Merrimack,		Samuel Forster.
Middleton and	}	
Brookfield,	}	Henry Pike.

Milford and }	William Peabody.
Brookline, }	
Moultonborough and }	Nathaniel Shannon.
Tuftonboro, }	
New Boston,	Ninian Clark.
Newcastle. See Rye.	
New Chester and }	Edward Blodgett.
Danbury, }	
New Durham and }	Joseph Pierce.
Alton, }	
New Grantham. See Springfield.	
New Hampton and }	William B. Kelley.
Center Harbor, }	
Newington,	Richard Pickering.
New Ipswich,	Jeremiah Pritchard.
New London. See Sutton.	
Newmarket,	James Hill.
Newport,	Phinehas Chapin.
Newton,	John Peak.
Northfield,	Thomas Clough.
North Hampton,	Thomas Leavitt.
Northumberland, }	
Piercy and }	Jeremiah Eames.
Stratford, }	
Northwood,	Sherburne Blake.
Nottingham,	Jonathan Cilley.
Nottingham West,	Asa Davis.
Orange and }	Daniel Blaisdell.
Grafton, }	
Orford,	Daniel Tillotson.
Ossipee. See Effingham.	
Packersfield,	Samuel Griffin.
Pelham,	James Gibson.
Pembroke,	Daniel Knox.
Peterborough,	John Smith.
Piercy. See Northumberland.	
Piermont and }	William Tarlton.
Warren, }	
Pittsfield,	James Drake.
Plainfield,	Daniel Kimball.
Plaistow. See Atkinson.	
Plymouth,	Josiah Brown.
Poplin. See Raymond.	
Portsmouth,	Woodbury Langdon.
	John Goddard.
	Samuel Drowne.

Raymond and Poplin, } Richmond, Rindge, Rochester,	Moses Dudley. Moses Tyler. William Gardner. Richard Dame. William Palmer.
Rumney and Wentworth, } Rye and Newcastle, }	William Preston. Joseph Parsons.
Salem, Salisbury, Sanbornton, Sandown. See Hawke. Sandwich, Seabrook. See Hampton Falls. Shelburne. See Cockburne. Society Land. See Greenfield.	Thomas Dow. John C. Gale. William Harper.
Asa Crosby.	
Somersworth, South Hampton and } East Kingston, } Springfield and } New Grantham, }	Andrew Wentworth. Benjamin Barnard. Robert Duncan.
Stewartstown. See Cockburne.	
Stoddard, Stratford. See Northumberland. Stratham, Sullivan, Surry and } Gilsum, }	Nathaniel Emerson. Nicholas Rollins. Samuel Seward. Jonathan Robinson.
Sutton and } New London, }	Thomas Wadleigh.
Swanzey, Tamworth, } Eaton and } Burton, }	Nehemiah Cummings. David Gilman.
Temple, Thornton. See Holderness. Tuftonboro. See Moultonborough.	Ebenezer Edwards.
Unity, Wakefield, Wales Location. See Cockburne.	Josiah Moody. David Copp.
Walpole, Warner, Warren. See Piermont. Washington,	Josiah Bellows. Joseph Bartlett. Thomas Penniman.

Weare, Jabez Morrill.
 Samuel B. Tobie served as representative during the second session.

Wendell and }	Whittier Perkins.
Goshen, }	
Wentworth. See Rumney.	
Westmoreland,	Ezra Pierce.
Wilton,	Philip Putnam.
Winchester,	Moses Chamberlain.
Windham,	John Dinsmoor.
Windsor. See Antrim.	
Wolfeboro,	Henry Rust, Jr.

[*First Session, Held at Concord, June 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 1800.*]

[CHAPTER 1.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE PROPRIETORS OF THE SOCIAL LIBRARY IN STODDARD.

[Approved June 13, 1800. Original Acts, vol. 16, p. 105; recorded Acts, vol. 13, p. 1.]

Be it Enacted by the Senate and House of Representatives in General Court convened That Israel Town, Nath^l Evans, Silas Wright, Simon Greenwood, Gardner Town, Ephraim Adams and Nath^l Emerson and their associates proprietors of said Library, and all Such as may hereafter become proprietors of the same be, and they hereby are incorporated into a body Politic by the name of the proprietors of the Social Library in Stoddard with all the privileges and powers incident to Corporations of a Similar nature, with power to enjoin penalties of disfranchisement, or fine not exceeding ten Dollars for each Offence; and with power to purchase and Receive subscriptions, grants and donations of Real, or personal estate not exceeding one Thousand dollars for the purpose of their association.

And be it further enacted that the said Society be, and they hereby are authorised to assemble at Stoddard aforesaid on the first Monday of May annually to choose all such officers as may be found necessary for the orderly conducting the affairs of the said Corporation, which Officers shall continue untill others are chosen in their Room: and the said Corporation may assemble at such other times as they may Judge necessary for the transacting the business of the Society, except the Raising of money which shall

always be done at some Annual meeting, and at no other time And the said proprietors may at any annual meeting vote all necessary sums for defraying the annual expence of preserving said Library, and for enlarging the same. And the said proprietors may at any Legal meeting agree upon any method of calling meetings of the proprietors in future

And be it further Enacted that Israel Town, or Nath^l Evans or either of them is hereby authorised to Call the first meeting of said proprietors at such time and place as they may appoint giving fifteen days notice thereof which Notice shall be personal, or by posting a notification at some publick place in said Stoddard; and shall preside untill a moderator be chosen; and said Corporation may when met transact all such business as they may Lawfully do at any annual Meeting.

[CHAPTER 2.]

State of }
New Hampshire. }

AN ACT FOR ALTERING THE SIRNAME OF EDWARD FOGARTY OF PORTSMOUTH IN THE COUNTY OF ROCKINGHAM IN SAID STATE, MASON.

[Approved June 13, 1800. Original Acts, vol. 16, p. 106; recorded Acts, vol. 13, p. 4.]

Whereas the said Edward Fogarty has petitioned the General Court representing that he was bereaved of his parents while he was in a state of infancy, that he was provided for, brought up and educated by Edward Dimsey late of said Portsmouth as his, the said Dimseys, adopted Son and that he was finally made heir to the said Dimsey's Estate; and whereas the said Edward Fogarty has petitioned that his name may be changed from Edward Fogarty to Edward Dimsey, that he may be enabled to take and use the name of Edward Dimsey, and that he may, by that name only, be known and distinguished in future to all legal purposes: The prayer of which petition being granted. Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened that the said Edward Fogarty be, and hereby is authorised and impowered to take, use and bear the name of Edward Dimsey in future. And the said Edward, the petitioner aforesaid, shall from and after the passing of this Act be named and called in all legal proceedings by the name of Edward Dimsey any law, usage or custom to the contrary notwithstanding.

Provided nevertheless that this Act shall not be construed to effect any obligation or suit which may have heretofore been given, taken or prosecuted in the name of the said Edward Fogarty.

[CHAPTER 3.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE PROPRIETORS OF THE SOCIAL LIBRARY
 IN WARNER

[Approved June 13, 1800. Original Acts, vol. 16, p. 107; recorded Acts, vol. 13, p. 6.]

Be it enacted by the senate & House of Representatives in General Court convened

That Nathaniel Bean Richard Bartlett and David Bagly— and their Associates Proprietors of said Library and all such as may hereafter become Proprietors of the same. be and they hereby are incorporated in to a Body Politic by the Name of the Proprietors of the social Library in Warner with all the priviledges and powers incident to Corporations, and with power to enjoin penalties of disfranchisement or fines not exceeding ten Dollars for each Offence, and with power to purchase and receive subscriptions grants and donations of real or pursonal Estate not exceeding Five Hundred Dollars, for the purpose of their Association

And be it further enacted that the said society be and they hereby are Authorised to Assemble at Warner aforesaid on the last Monday of July in every year, or at any other Day said Proprietors may appoint, to chuse all such Officers as may be found to be necessary for the Orderly conducting of the Affairs of the said corporation which Officers shall continue untill others be chosen in their room and the said corporation may Assemble at such other times as they may Judge necessary and proper for the transacting of all the business of the Society, except that of raiseing monies which shall always be done at some annual meeting, and at no other time, and the said Proprietors may at any annual meeting Vote all necessary sums for the discharging the annual expences, for preserving said Library and for enlarging the same, and the said proprietors at any legal meeting may agree upon a method of calling meetings of the Proprietors in future

And be it further enacted that Nathaniel Bean or Richard Bartlett are hereby authorised to call a meeting of the Proprietors at such time and place as he may chuse giveing fifteen Days notice thereof which notice shall be Pursonal or by posting a notification at some publick place in said Town of Warner, at which meeting they may do and transact all such business as they may lawfully do at any Annual meeting

[CHAPTER 4.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT INTITLED AN ACT FOR ARRANGING THE MILITIA INTO DIVISIONS, PASSED DECEMBER THE TWENTY SEVENTH ONE THOUSAND SEVEN HUNDRED AND NINETY TWO.—

[Approved June 13, 1800. Original Acts, vol. 16, p. 108; recorded Acts, vol. 13, p. 9. Laws, 1805 ed., p. 249. See act of December 26, 1799, recorded Acts, vol. 12, p. 4. The act referred to is printed in Laws, 1797 ed., p. 411.]

Be it enacted by the Senate and House of Representatives in General Court convened that the Militia-company in the Town of Goshen be disannexed from the twenty eighth Regiment, and annexed to the first Battalion in the thirty first Regiment.

[CHAPTER 5.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO ACT "ENTITLED AN ACT, TO INCORPORATE WILLIAM SIMPSON ESQ^R AND SUCH OTHER PERSONS AS HEREAFTER MAY ASSOCIATE WITH HIM FOR THE PURPOSE OF BUILDING A BRIDGE OVER CONNECTICUTT RIVER—

[Approved June 13, 1800. Original Acts, vol. 16, p. 109; recorded Acts, vol. 13, p. 10. The act referred to is dated January 29, 1794, id., vol. 8, p. 256.]

Whereas in and by said Act the said William Simpson and such other Persons as Should thereafter Associate with him for the purposes therein mentioned, are Restricted to the Term of four years from the passing said Act to build a bridge at Orford in the County of Grafton, and whereas the said period hath elapsed, and it appears Reasonable that a further period should be allowed to the Said William Simpson and his Associates for building the Said Bridge at Orford afores^d

Be it enacted by the Senate and House of Representatives in General court convened—That a further time of Three years from the passing this Act be allowed to the Said William Simpson and his associates to build a Bridge at Said Orford any thing in the aforementioned Act to the Contrary Notwithstanding—

And be it further Enacted that the Said William Simpson and his Associates be allowed Eight years from the Passing this Act to build a Bridge over Connecticutt River at Piermont within the County of Grafton aforesaid and when the Said William Simpson

and his Associates Shall have built the Said Bridge at Said Piermont the Same Rates of Toll Shall be allowed them under the Same Regulations and Restrictions as in said first Act are mentioned Respecting the Bridge to be built at Orford—

[CHAPTER 6.]

State of }
New Hampshire. }

AN ACT, DIRECTING THE MODE OF APPOINTING ELECTORS OF THIS STATE FOR THE ELECTION OF A PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES.

[Approved June 14, 1800. Original Acts, vol. 16, p. 110; recorded Acts, vol. 13, p. 13. See additional act of November 25, 1800, recorded Acts, vol. 13, p. 49. See also acts of June 20, 1792, id., vol. 6, p. 549; June 16, 1796, Laws, 1797 ed., p. 167; June 21, 1804, recorded Acts, vol. 15, p. 33.]

Be it enacted by the Senate and House of Representatives in General Court convened, that the said Court shall on the fourth Wednesday of November next chuse by joint ballot of both Branches of the Legislature in Convention six Persons constitutionally qualified as Electors for this State of President and Vice President of the United States, and in case the Electors should not be chosen by a majority of votes the two persons ballotted for having the highest number of votes shall be candidates out of whom one shall be elected by ballot as aforesaid and in this mode the appointment of the six Electors shall be completed.

And be it further enacted, that the Electors appointed as aforesaid shall meet and give their votes for President and Vice President of the United States at Concord on the first Wednesday of December next, and shall perform all other duties incumbent upon them as Electors in manner prescribed by law.

[CHAPTER 7.]

State of }
New Hampshire. }

AN ACT TO PROHIBIT ANY PERSON FROM HALING OR REMOVING SEA-WEED FROM THE SEA SHORE IN RYE.—

[Approved June 14, 1800. Original Acts, vol. 16, p. 111; recorded Acts, vol. 13, p. 15. Laws, 1805 ed., p. 348. Repealed June 21, 1814, id., 1815 ed., p. 401.]

Whereas the Selectmen of Rye in this State, in behalf of the Inhabitants of said Town, have petitioned the General Court representing that persons will often hale a large quantity of seaweed

but a few rods from the sea shore, there leave the same in heaps, suffer the same to become putrid to the prejudice of the health & Interest of many of the Inhabitants & others; & praying that a Law may be passed prohibiting any person from haling or removing seaweed from the sea shore in said Town of Rye after daylight in the evening Untill daylight in the morning, which petition appearing reasonable— Therefore—

Be it Enacted by the Senate & House of Representatives in General Court convened that any person or persons who shall hereafter be found guilty of raking, collecting, removing or carrying off from the Sea shore in Rye aforesaid any such weed, or shall aid & assist therein between daylight in the evening and daylight in the Morning, every such offender, for every such Trespass shall, on conviction thereof forfeit and pay a Sum not less than Six dollars nor more than thirteen dollars to be recovered in an Action of debt before any Court proper to try the Same, one half of which sum shall be for the use & benefit of the person Suing for the same, and the other half for the use & benefit of the said Town of Rye— Provided Nevertheless that this Act shall not be construed to debar any person or persons from haling at any time, such Quantity of seaweed which he or they may have collected between Sunrising & sunsetting—

[CHAPTER 8.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER THAT PART OF PISCATAQUA RIVER, CALLED LITTLE HARBOUR, FROM THE SOUTHWESTERLY SIDE OF THE ISLAND OF NEW CASTLE, TO THE PUBLIC LANDING PLACE IN RYE, OPPOSITE SAID ISLAND.

[Approved June 14, 1800. Original Acts, vol. 16, p. 112; recorded Acts, vol. 13, p. 17.]

Whereas a Bridge across that part of Piscataqua river at the place above mentioned will be of public Utility, and whereas Henry Prescott, Elias Tarlton, John Tarlton, George Frost & others their Associates have petitioned the General Court for liberty to build the same and to be incorporated for that purpose— Therefore Be it Enacted by the Senate & House of Representatives in General Court convened That the persons above named together with those their Associates who are, or shall become Proprietors in said Bridge, so long as they continue to be proprietors thereof, shall be a corporation & Body politic for the purposes aforesaid, under the name of the proprietors of New Castle Bridge, and by that name may

sue, & be sued to final Judgment & Execution, and do and suffer all matters Acts and things which Bodies corporate may or ought to do or suffer; and the said Corporation shall & may have & use a Common Seal, and the same may break, renew, and alter at pleasure—

And Be it further Enacted, that the said Henry Prescott Esq^r shall call a meeting of said proprietors by advertisement in the New Hampshire Gazette—to be holden at any suitable time & place after fourteen days from the first advertisement, and the proprietors by a vote of the majority of those present or represented at said Meeting, accounting & allowing one vote to each share in all cases, shall choose a Clerk who shall be sworn to the faithful discharge of said office, & shall also agree on a method of Calling future meetings, and at the same time, or at any subsequent meetings may elect such officers and make & establish such rules & Bye-laws as to them shall seem necessary or convenient for the regulation and Government of said corporation for carrying into effect the purpose aforesaid, and for collecting the Toll herein after Granted & established, and the same Rules and Bye-Laws, may cause to be executed & may annex penalties to the breach thereof not exceeding Ten dollars for each one breach, Provided the said Rules & Bye-Laws are not repugnant to the Constitution & laws of this State; and all Representations at any meeting of said Corporation shall be proved by writing signed by the person to be represented, which shall be filed with the Clerk, and this Act and all Rules, Bye-laws, regulations and proceedings of said corporation shall be fairly & truly recorded by the Clerk In a Book or books provided and kept for that purpose—

And Be it further Enacted that the Proprietors aforesaid Be, and hereby are permitted & allowed to erect a Bridge over that part of Piscataqua river called Little Harbour, from the South-Westerly side of the Iland of New Caste to the public landing place in Rye opposite said Island; And the said proprietors are hereby empowered to purchase any lands adjoining said Bridge and to hold the same in fee simple; and the Share or Shares of any of said proprietors may be transferred by deed duly executed, acknowledged and recorded by the Clerk of said proprietors on their records.—

And Be it further Enacted that for the purpose of reimbursing said proprietors the money expended by them in building and Supporting said Bridge, a Toll be and Hereby is granted and established for the benefit of said proprietors according to the rates following, namely, for each foot passenger two Cents for each horse & rider five Cents— for each horse and chaise, chair & Sulkey or other riding carriage drawn by one horse only ten Cents—for each riding Sleigh drawn by one horse Seven Cents for each riding Sleigh drawn by more than one horse ten Cents— for each Sled drawn by two beasts ten Cents— for each Sled drawn by more than two

beasts fifteen Cents— for each Coach, Chariot, Phaeton or other four wheeled carriage for passengers drawn by more than one horse twenty Cents for each Curricule twelve & a half Cents for each Cart or other carriage of burthen drawn by two beasts ten Cents— and two-Cents for every additional Beast, for each horse or neat Creature exclusive of those rode on or in Carriages two Cents for Sheep & Swine one Cent— each, and to each team one person and no more shall be allowed as a Driver to pass free of Toll—

And Be it further Enacted that the exclusive Right of building & maintaining a Bridge over the river piscataqua at the place heretofore mentioned, Be & the same is hereby fully granted to said petitioners & such as are or may be associated with them & become proprietors, their heirs & assigns—

And Be it further Enacted that if any Tax or assessment made by said corporation for compleating or repairing the said Bridge on the Several shares shall be unpaid at the time limited for the payment of the same, they may proceed to Sell the delinquents' Share at public Auction as the proprietors may agree and determine; And if any overplus remains after paying the tax or Assessments and charges, it shall be returned to the delinquent proprietor—

And Be it further Enacted that if the beforementioned Bridge shall not be compleated fit for Travelling within four—years from the time of passing hereof, then this Act and every part thereof shall be null & void—

[CHAPTER 9.]

State of)
New Hampshire. }

AN ACT FOR THE RELIEF OF SUPPLY CLAPP AND OTHERS—

[Approved June 14, 1800. Original Acts, vol. 16. p. 113; recorded Acts, vol. 13, p. 23.]

Whereas Supply Clapp, Joseph Champney and William Boyd all of Portsmouth in the County of Rockingham Merchants and Surviving Executors of the last Will and Testament of George Boyd late of Portsmouth aforesaid Esq^r deceased, have shewed to this Court that an Execution which issued on a Judgment rendered by the Court of Common pleas holden in & for said County of Rockingham on the fourth tuesday of May A.D. One thousand seven hundred & Ninety three in favor of the Executors of the last will & testament of said George Boyd deceased against Stephen Evans of Durham in the County of Strafford Trader for the Sum of Three hundred & Seventeen pounds four Shillings half penny debts &

five pounds eighteen Shillings & ten pence Cost of suit, was levied on land & buildings which were appraised at the sum of Two hundred & Sixty pounds & Set off to said Executors in part satisfaction of said Execution as & for the estate of the said Steven Evans, which after said levy appeared to be the estate of another person; But that the time limited by Law for obtaining the remedy provided for the relief of Creditors in such cases had expired before said error in levying said Execution was discovered, and have Therefore prayed this Court to provide a remedy for them in that behalf which appearing reasonable—

Be it Enacted by the Senate & House of Representatives in General Court convened that the Justices of said Court of Common pleas for said County of Rockingham Be & hereby are empowered to order a writ of Scire facias to issue against the said Stephen Evans, requiring him to appear before them and shew cause if any he hath why another execution should not issue against him in the name & behalf of the surviving executors of the last will & testament of said George Boyd Esq^r deceased for the sum of Two hundred & Sixty pounds or such part of the Judgment rendered by said Court in behalf of said Executors as shall appear to have been levied on estate not belonging to said Evans—And if said Evans shall neglect to appear in obedience to said Writ, or appearing shall not shew sufficient cause why another Execution should not issue against him, said Court shall order another Execution to issue against said Evans for such portion of said debt as shall appear to have been levied on estate that did not belong to said Evans—And the Justices of said Court of Common Pleas are hereby authorized & empowered to act in the premises as fully & in all respects as they might or could have done provided said Executors had applied to said Court within three years from the time of extending & levying said Execution—

Provided nevertheless that an Appeal may be made to the Superior Court by either party that shall be dissatisfied with the Judgment that may be rendered in said action of Scire facias by said Court of Common pleas—

[CHAPTER 10.]

State of }
New Hampshire. }

AN ACT, IN ADDITION TO AN ACT INTITLED AN ACT IN ADDITION TO AND AMENDMENT OF AN ACT INTITLED AN ACT TO PREVENT DAMAGE WHICH MAY BE DONE BY LUMBER TO THE OWNERS OF LANDS LYING ON AND ADJOINING CONNECTICUT RIVER AND MERRIMAC RIVER PASSED JULY 17TH 1794.

[Approved June 14, 1800. Original Acts, vol. 16, p. 114; recorded Acts, vol. 13, p. 28. Laws, 1805 ed., p. 347. Repealed December 28, 1805, id., 1815 ed., p. 397. The act referred to is printed in Laws, 1797 ed., p. 368. See acts of January 4, 1792, Laws of New Hampshire, vol. 5, p. 839, and June 17, 1794, Laws, 1797 ed., p. 368.]

Whereas in and by said act mention is only made of Connecticut and Merrimac Rivers and it being necessary that the operation of said Act extend to the Owners of lands on other Rivers in said State: Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened that the forementioned Act and every part thereof extend to the Owners of lands on all other Rivers in this State the same as to Connecticut and Merrimac Rivers therein mentioned.

[CHAPTER 11.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT TO INCORPORATE A COMPANY BY THE NAME OF THE PROPRIETORS OF THE NEW HAMPSHIRE TURNPIKE ROAD, PASSED THE SIXTEENTH DAY OF JUNE A.D. 1796—

[Approved June 14, 1800. Original Acts, vol. 16, p. 115; recorded Acts, vol. 13, p. 29. The act referred to is printed in Laws, 1797 ed., p. 325. See also act of December 7, 1796, recorded Acts, vol. 10, p. 202. See additional act of December 19, 1803, id., vol. 14, p. 180. By the act of June 14, 1824, this turnpike was made a public highway, id., vol. 22, p. 436.]

Be it enacted by the Senate and house of Representatives in General Court convened, That all that part of said act which provides and enacts that if said Turnpike road shall in any part be the same with any highway then used no toll shall be taken for passing the said part, be and the same hereby is repealed and made null and void.—

Provided Nevertheless and be it hereby further enacted that if the said Turnpike road shall in any part be the same with any Highway now used it shall not be lawful for said Proprietors to erect any Gate or Turnpike on or a Cross said part of the road now used and occupied as a public highway any thing in said Act to the Contrary notwithstanding.—

And be it further enacted that in case the Proprietors and owners of Land through which said Turnpike road may be laid out and run shall not agree on the Compensation to be made for said Land, instead of the Court of Common Pleas as by said Act is provided the Superior Court of Judicature holden within and for the County in which said Land lies upon application of the said Proprietors, or of the owner or owners of such Land, may appoint a Committee to ascertain the compensation and issue Execution therefor against said Proprietors in the same way and manner as the Court of Common Pleas in and by said act is authorized to do and that no Court of Common Pleas shall by virtue of said act appoint any Committee to ascertain such compensation, or issue any Execution therefor.—

And be it further enacted that at the end of every ten years instead of every twenty years as provided by said Act an Account of the expenditures upon said Road and the profits arising therefrom shall be laid before the Judges of the Superior Court for the time being, and that the said Superior Court at the end of every ten years from and after the time of passing said Act may regulate, reduce, or raise the toll to be received by said Proprietors in the same manner that the said Court by said Act is Authorized to do at the end of every twenty years—

[CHAPTER 12.]

State of }
New Hampshire. }

AN ACT TO ANNEX, STERLING'S & STARKS' LOCATIONS TO THE TOWN OF CONWAY.—

[Approved June 14, 1800. Original Acts, vol. 16, p. 116; recorded Acts, vol. 13, p. 33.]

Whereas Archibald Walker with others has petitioned the General Court setting forth among other things that the Inhabitants of Sterlings Location, Archibald Stark's location and Samuel Stark's location in the County of Strafford have encountered the first difficulties, & hardships which commonly attend the first settlement of new plantations, have cleared some of the lands on said locations and reduced them to that State of cultivation which affords the pleasing prospect of a comfortable Subsistence, That after enduring the intense Labor & fatigue of subduing a wilderness, they do not

enjoy the privileges common to other new Settlements & have none of the advantages of Town order, & being destitute of the benefit of Schools & without any regular method of repairing roads, having no prospect of enjoying the benefit of Town privileges without being connected with some other town; And whereas said Locations lye adjacent to the town of Conway in said County, on the South line of said town, and are convenient to be annexed thereto, And praying that the said Sterlings' and Starks' Locations may be annexed to the said town of Conway, The prayer of which said petition appearing reasonable & being granted— Be it Therefore Enacted by the Senate & House of Representatives in General Court convened that the tract of land called Sterlings' location, and the tract of land commonly called Archibald & Samuel Starks' location situate in the said County of Strafford Be & they are hereby annexed to the said town of Conway with all the Inhabitants dwelling on the same & shall hereafter according to the courses distances, bounds & monuments of said locations be considered as part & parcell of said town of Conway, & shall be with the Inhabitants thereof, entitled to all the benefits, privileges & immunities of the said town of Conway in as full & ample manner as though they and the said locations had been originally incorporated within the Bounds thereof, any Law, usage or Custom to the contrary notwithstanding—

[ORDERS, RESOLVES AND VOTES OF A LEGISLATIVE NATURE PASSED DURING THIS SESSION.]

1800, June 13.

Upon reading and considering the Petition of Jonathan Peele Esq^r and others principal proprietors of the Townships of Millsfield and Errol sitting forth that the Legislature of said state on the 13th day of December AD. 1792 passed a Resolve granting to the proprietors of said Townships the term of ten years from the passing said Resolve to compleat the conditions of the Charters of said Townships, and that Since that time their Clerk had removed into the state of New York and carried with him all the documents files and records of said proprietors, & that they had been unable, until within a few days, to obtain any part of said papers— And the former proceedings of said proprietors have been such, that they cannot literally comply with the Conditions of said Charters agreeably to said Resolve. And praying that a further time might be granted them for that purpose—And the facts being substantiated, and the prayer of said Petition appearing reasonable— Therefore Resolved that a further time of four years from the Expiration of ten years in said Resolve mentioned be and hereby is allowed unto the proprietors and Owners of said Townships of Millsfield and Errol respectively to perform fulfill & compleat the Conditions of the Charters of each of said Townships any Law usage or custom to the contrary notwithstanding.—

[House Journal, 1800-5, p. 38. Senate Journal, 1797-1800, p. 409.]

[*Second Session, Held at Concord November 19, 20, 21, 22, 24, 25, 26, 27, 28, 29; December 1, 2, 3, 4, 5, 6, 8, 9, 10, 1800.*]

[CHAPTER 1.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO THE ACT DIRECTING THE MODE OF APPOINTING ELECTORS OF THIS STATE FOR THE ELECTION OF A PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES.

[Approved November 25, 1800. Original Acts, vol. 16, p. 117; recorded Acts, vol. 13, p. 49. The act referred to is dated June 14, 1800, recorded Acts, vol. 13, p. 13.]

Whereas no provision is made in & by said Act to supply any vacancy that may happen by reason of the death, resignation, or non attendance of the Electors aforesaid or either of them—And whereas no mode is in said Act prescribed for notifying the Electors of their appointment—for remedy whereof—

Be it enacted by the Senate & House of Representatives in General Court convened, That his Excellency the Governor of this State be and he hereby is requested to cause the several gentlemen who may be chosen as Electors to be seasonably notified of their appointment and request their attendance at Concord on tuesday the second day of December next at ten of the clock in the forenoon.

And be it further enacted, That the Electors chosen as aforesaid shall meet at Concord on the second day of December aforesaid, and by twelve of the clock at noon of said day give notice to the Legislature of the number of Electors present who accept of said trust.—& if from such notice it shall appear that the six Electors are not all then present and accept of said appointment, the two houses of the Legislature shall then immediately meet in Convention and by joint ballot elect the number wanting to compleat said board. And if any person chosen as Elector on said second day of December shall not then attend & accept of said trust, said Convention shall then immediately proceed as aforesaid & choose others to supply such vacancy. And the Electors who may be chosen on said second day of December shall have like power and authority to exercise & perform the duties of Electors as those first chosen.

And be it further enacted, That the following paragraph in the Act aforesaid, namely “And in case the Electors should not be “chosen by a majority of votes, the two persons balloted for having “the highest number of votes shall be candidates, out of whom one “shall be elected by ballot as aforesaid; and in this mode the appointment of the six Electors shall be compleated”—be and hereby is repealed.

[CHAPTER 2.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE SOCIAL LIBRARY IN CAMPTON.—

[Approved November 27, 1800. Original Acts, vol. 16, p. 118; recorded Acts, vol. 13, p. 36.]

Be it enacted by the Senate & House of Representatives in General Court convened, that the Hon^{bl} Moses Baker, Samuel Holmes and John Southmayd Esquires & their associates, Proprietors of said Library, & all such persons as may hereafter join them or become proprietors of said Library be & they hereby are Incorporated into a body politick by the name of the proprietors of the Social Library in Campton, with continuation & succession forever, and in that name may sue & be sued in all Actions personal & may prosecute & defend the same to final Judgment & Execution. And they are hereby vested with all privileges & powers incident to Corporations of a simular nature & may enjoin penalties of disfranchisement or fine not exceeding Four Dollars for each offence to be recovered by said Society in an Action of Debt to their use in any Court proper to try the same— And they may make purchase & receive subscriptions, grants & donations of personal estate not exceeding One Thousand Dollars, including the Books on Hand, for the purpose & use of said Association

And be it further enacted that said Society be & they hereby are authorized to assemble at some convenient place in said Campton on the first Monday in November Annually to choose all such officers as may be found necessary for the orderly conducting the affairs of said Society who shall continue in Office untill others are chosen in their room, & said Corporation may assemble as often as may be found necessary for filling up any vacancy that may happen in said Offices & for transacting any other business excepting the raising of Money, which shall always be done at their annual Meeting, & at no other time, at which time they shall vote all necessary sums for defraying the annual expence of preserving said Library & for enlarging the same, And said Corporation shall have power to make such rules & by-laws for the Government of said Society as may from time to time by them be found necessary, provided the same be not repugnant to the Constitution & Laws of this State.—

And be it further enacted that the said Moses Baker, Samuel Holmes & John Southmayd or either of them are hereby authorized & empowered to call the first meeting of said Proprietors at such time & place as they may appoint by posting up a notification for that purpose at the Meeting-House in said Campton Fifteen Days

prior to said Day & they shall have power at said Meeting to choose Officers & make by-laws as they have at their annual meeting.—

[CHAPTER 3.]

State of }
New Hampshire. }

AN ACT, TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE SOCIAL LIBRARY IN ANTRIM.

[Approved November 27, 1800. Original Acts, vol. 16, p. 119; recorded Acts, vol. 13, p. 40.]

Be it enacted by the Senate and House of Representatives in General Court convened that James Aiken, John Duncan and Thomas Nichols and their Associates proprietors of said Library and all such as may hereafter join with them or become proprietors of said Library be and they hereby are incorporated into a body politic by the name of the proprietors of the social Library in Antrim with continuation and Succession forever and in that name may sue and be sued in all actions personal and may prosecute and defend the same to final judgment and execution: And they are hereby vested with all privileges and powers incident to Corporations of a similar nature and may enjoin penalties of disfranchisement or fine not exceeding four dollars for each offence to be recovered by said Society in an Action of Debt to their use in any Court proper to try the same, and they may make purchase and receive subscriptions, grants and donations of personal estate not exceeding one thousand dollars including the books on hand for the purpose and use of said association

And be it further enacted that said Society be and they hereby are authorised to assemble at some convenient place in Antrim aforesaid on the first Monday in November annually to choose all such Officers as may be found necessary for the orderly conducting the affairs of said Society, who shall continue in office until others are chosen in their room: And said Corporation may assemble as often as may be found necessary for filling up any vacancy that may happen in said Offices and for transacting any other business, excepting the raising of money which shall always be done at their annual meeting and at no other time; at which time they shall vote all necessary sums for defreying the annual expence of preserving said Library and for enlarging the same; And said Corporation shall have power to make such Rules and By-laws for the Government of said Society as may from time to time by them be found necessary provided the same be not repugnant to the Constitution and Laws of this State.

And be it further enacted that the said James Aiken, John Duncan and Thomas Nichols or either of them are hereby authorised and impowered to call the first meeting of said Proprietors at such time and place as they may appoint by posting up a notification for that purpose at the Meeting-house in said Antrim fifteen days prior to said day and they shall have power at said meeting to choose Officers and make By-laws as they have at their annual meeting.

[CHAPTER 4.]

State of }
New Hampshire. }

AN ACT TO ANEX THE TOWN OF BURTON IN THE COUNTY OF GRAFTON, TO THE COUNTY OF STRAFFORD.

[Approved November 27, 1800. Original Acts, vol. 16, p. 120; recorded Acts, vol. 13, p. 44. Laws, 1805 ed., p. 46; id., 1815 ed., p. 51. Repealed January 3, 1829, id., 1830 ed., p. 310.]

Whereas the Inhabitants of the Town of Burton in the County of Grafton in this State have preferred a Petition to the general Court, setting forth that Nature has so formed a Chain of Mountains, as to cut them off from all convenient Communication, with said County of Grafton, that they have to travel a large Distance, through the County of Strafford to go to any Court, that is, or ever will be holden in said County of Grafton, with other Inconveniences, Praying that the said Town of Burton with the Inhabitants thereof, be annexed to the County of Strafford, The Prayer whereof appearing reasonable, Therefore,

Be it enacted by The Senate & House of Representatives, in general Court convened, That the said Town of Burton, with the Inhabitants thereof, be, and they are hereby annexed to the said County of Strafford, and shall hereafter be deemed to belong to, and considered as Part, & Parcel of the said County of Strafford, To all Intents and Purposes, any Law, Usage or Custom To the contrary notwithstanding—

Provided that nothing in said Act contained, shall preclude or prevent the said Town of Burton and the Inhabitants thereof, from being liable to pay all Dues, and Assessments, imposed on them by Law, and payable to the said County of Grafton, previous to this Act.

[CHAPTER 5.]

State of }
New Hampshire. }

AN ACT TO CHANGE THE NAME OF WALTER LITTLE.

[Approved November 27, 1800. Original Acts, vol. 16, p. 121; recorded Acts, vol. 13, p. 47.]

Whereas Walter Little of Antrim in the County of Hillsborough, Clerk, has preferred a Petition to the General Court of This State setting forth, That he has Reason to Think That he would derive considerable Advantage by having his Name changed from Walter Little, to the Name of Walter Fullerton, and praying the general Court, that they would by an Act enable him to assume the Name of Walter Fullerton, the Prayer Thereof appearing reasonable,

Be it enacted by the Senate and House of Representatives in general Court convened, That the said Walter be, and he is hereby authorised to assume & bear the Name of Walter Fullerton, and by that Name in future shall be called and known, in all legal Proceedings, any Law, Custom or Usage, To the contrary, notwithstanding—

Provided that nothing in this Act contained shall impair any Contract or Obligation by him made, or effect any Action or Suit now pending in any Court of Law within this State, wherein the said Walter Little is Plaintiff or Defendant—

[CHAPTER 6.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF MOULTONBOROUGH AND SANDWICH SOCIAL LIBRARY.

[Approved November 27, 1800. Original Acts, vol. 16, p. 122; recorded Acts, vol. 13, p. 52.]

Be it enacted by the Senate and House of Representatives in General Court convened that the Honorable Nathan Hoit Esquire, Edward B. Moulton, Caleb Morse, John Hubbard and Ezekiel French and their Associates Proprietors of said library and all such as may hereafter become Proprietors of the same be and they hereby are incorporated into a body politic by the name of the Proprietors of Moultonborough and Sandwich Social Library with Continuation and Succession forever and in that name may sue and be sued in all personal Actions and may prosecute and defend the same to final judgment and execution: And they are hereby vested with

all the powers and privileges incident to Corporations of a similar nature and may enjoin penalties of disfranchisement or fine not exceeding four Dollars for each offence to be recovered by said Proprietors in an Action of Debt to their use in any Court in this State proper to try the same; and they may make purchase and receive Subscriptions, grants and donations of personal Estate not exceeding the sum of one thousand Dollars including the books in said Library for the purpose of their Association

And be it further enacted that said Proprietors be and they are hereby authorised to assemble in either of said Towns of Moultonborough or Sandwich on the first Monday in February annually to choose all such Officers as may be found necessary for the orderly conducting the affairs of said Corporation, who shall continue in Office until Others are chosen in their room; and said Corporation may assemble as often as may be found necessary for filling up any vacancies which may happen in said Offices and for transacting all other business, excepting the raising of money which shall not be done except at an annual Meeting, at which annual Meeting they are impowered to vote all such sums which shall be found necessary for defreying the annual expences of preserving said library and for enlarging the same and shall make and enact such Rules and By-laws for the Government of said Corporation as may from time to time by them be found necessary provided the same be not repugnant to the Constition and laws of this State.

And be it further enacted that the aforesaid Nathan Hoit and Edward B. Moulton and either of them are hereby authorised and impowered to call the first meeting of said Proprietors at such time and place as they may appoint by posting up a notification, expressing the time, place and design of said meeting, at the meeting house in said Moultonborough at least fourteen days before the time of holding said meeting and the Proprietors at said meeting may agree on the manner of calling future meetings and shall have all the power to make Rules and By-laws and choose all Officers as they may or can do at their annual Meeting.—

[CHAPTER 7.]

State of }
New Hampshire. }

AN ACT FOR FORMING A COMPANY OF ARTILLERY IN THE FIFTH BRIGADE

[Approved November 29, 1800. Original Acts, vol. 16, p. 123; recorded Acts, vol. 13, p. 59. Laws, 1805 ed., p. 249.]

Be it enacted by the Senate and House of Representatives in General Court convened, that the Light Infantry Company now organized being within the Town of Alstead, consisting of thirty

two rank and file, be formed into a Company of Artillery, with full power to inlist from the Infantry Companies in said Alstead, (when said Artillery company shall be reduced to any number under thirty two rank and file) so many Soldiers as will keep the number of thirty two rank and file good in said Company—

[CHAPTER 8.]

State of }
New Hampshire. }

AN ACT ENABLEING THE TREASURER OF THIS STATE AND THE TREASURER OF THE COUNTY OF GRAFTON TO DEDUCT FORTY FIVE CENTS FROM THE SUM CARRIED OFF AGAINST THE TOWN OF THORNTON IN THE LAST PROPORTION OF PUBLICK TAXES AMONG THE SEVERAL TOWNS, PARISHES & PLACES WITHIN THIS STATE, & ADD THE LIKE SUM TO THE TOWN OF PEELING.—

[Approved December 2, 1800. Original Acts, vol. 16, p. 124; recorded Acts, vol. 13, p. 57.]

Be it enacted by the Senate and House of Representatives in General Court convened, that the Treasurer of this State & the Treasurer of the County of Grafton, for the time being, be, & they hereby are Authorized & directed to deduct Forty Five Cents, from the proportion set against the Town of Thornton, & that the proportion to one Thousand Dollars which the said Town of Thornton shall pay in future shall be only Two Dollars and Thirty Nine Cents, & that the like sum of Forty Five Cents shall be added to the Town of Peeling, & the proportion which the said Town of Peeling shall bear in future to one Thousand Dollars, shall be One Dollar & Five Cents.—

[CHAPTER 9.]

State of }
New Hampshire. }

AN ACT IMPOWERING THE INHABITANTS OF THE TOWN OF COLBROOK IN THE COUNTY OF GRAFTON TO RAISE A TAX ON ALL THE LANDS IN SAID TOWN, PUBLIC RIGHTS EXCEPTED FOR THE PURPOSE OF MAKING ROADS AND BRIDGES WITHIN SAID TOWN.

[Approved December 4, 1800. Original Acts, vol. 16, p. 125; recorded Acts, vol. 13, p. 63.]

Whereas a petition has been presented to the general Court, praying for a tax of three cents on each acre of land in said Colbrook, public rights excepted, for the purpose of making and repair-

ing roads and bridges therein; which appearing reasonable, Therefore,

Be it enacted by the Senate and house of representatives in general Court convened, that the Select men of said Colbrook for the time being be and hereby are authorised and directed within two years from the passing of this act to assess and appropriate to the purposes aforesaid a tax of three cents on each acre of land in said Colbrook, excepting public rights.

And be it further enacted that two thirds of the said sums shall be appropriated to the sole purposes of making the road and repairing and building bridges on the main road by the river in said Colbrook, and the remaining third in such places and proportions as said select men shall think proper, and the same shall be collected in the same way and manner as state taxes on non resident proprietors by law are: excepting that the list of taxes left with the Deputy secretary shall remain in his office till the fifteenth day of September, instead of the first day as by law is directed: excepting also that said select men shall be the Collectors of said tax.

And be it further enacted, that the said Selectmen shall in the month of May in the Year when said tax is assessed give public notice in the New Hampshire gazette, and in the news paper printed in the County of Grafton if any there be, three weeks successively, of the assessment of said tax, and the leave granted to the resident and nonresident owners to work out said tax as is herein after provided.

And be it further enacted, that the owners of land in said Colbrook, whether residents or nonresidents, shall have the liberty of working out said tax on the highways and bridges in said Colbrook as said Select men shall direct whose duty it shall be to superintend the same, or appoint some suitable person for that purpose; and such owners of lands so assessed shall be allowed for their labour and teams as follows, viz, six cents per hour for every able bodied man finding his own diet and tools: and for ox work the same rate per yoke: provided said labour shall be performed before the sixteenth day of September next after the public notice herein before directed shall have been given.

And be it further enacted, that if the owners of lands so assessed, or either of them shall neglect to pay the sum so assessed on their lands in money or labour as aforesaid, until said sixteenth day of September, the said Select men shall then proceed to collect of every such delinquent owner, the sum so assessed on his lands in the same way and manner as Collectors of State taxes are directed by law to do.

And be it further enacted, That when any lands are sold at public vendue by virtue of this act, the said Select men are hereby empowered to give a good and valid deed or deeds of the same; and the same time shall be allowed for redemption, and the same mode

pursued in redeeming such lands, and the redemption shall make such sale at Vendue void in the same manner as is provided by law in cases where lands are sold for nonpayment of State taxes: provided however that no such deed shall be executed till after the expiration of one year from the time of sale.

And be it further enacted, that said Select men shall before they proceed to collect said tax make and deliver their bond, in which they shall be jointly and severally bound to the Clerk of the Court of Common pleas in the County of Grafton, in the penal sum of two thousand Dollars, conditioned for the faithful performance of all the duties required of them by this act; which bond in case said Select men shall not perform said duties, may be sued in any Court competent to try the same, and Judgment may be rendered thereon for the whole penalty, and one half of the sum recovered shall be for the use of the proprietors of said Colbrook, and the other half for the use of said County, any law to the contrary notwithstanding.

[CHAPTER 10.]

State of }
New Hampshire. }

AN ACT TO ANNEX A CERTAIN TRACT OF LAND IN THE COUNTY OF STRAFFORD, COMMONLY CALLED WOLFEBOROUGH ADDITION, TO THE TOWN OF WOLFEBOROUGH IN SAID COUNTY.—

[Approved December 4, 1800. Original Acts, vol. 16, p. 126; recorded Acts, vol. 13, p. 67.]

Whereas Stephen Thurston & others, Inhabitants of a tract of Land in the County of Strafford commonly known & called by the Name of Wolfeborough Addition, have petitioned The General Court representing, that said Addition has ever since the first Settlement of the Town of Wolfeborough been considered as a part of, & belonging to, said Town—that they have always acted in conjunction with the Inhabitants of said Town in all Town affairs—that they have ever considered themselves as belonging to said Wolfeborough; and but of late, have had Knowledge that said Addition, either through Mistake, or inattention, was not included within the Limits of Wolfeborough incorporation;— Wherefore they prayed that said Addition might be annexed to & incorporated with the Town of Wolfeborough— The prayer of which petition appearing Just & reasonable;—Therefore—Be it Enacted by the Senate & House of Representatives in General Court convened that, *that* Tract of Land in the County of Strafford commonly called Wolfeborough addition & bounded & follows to wit Beginning at the Easterly corner of Wolfeborough, and runing Northeasterly on the head, or North line, of The Towns of Brookfield and Wakefield one mile and sev-

enty rods to Ossipee line, Thence runing Northwesterly on the dividing line between the town of Ossipee and said addition, three miles & an half and Seventy rods to a Beach tree standing on the Easterly side of the road leading from Ossipee through said addition— Thence runing Southwesterly Eighty three rods— Thence runing Northwesterly on said dividing line about one mile & three Quarters to the North corner of Number five in said Addition— Thence runing Southwesterly to Wolfeborough Line— Thence runing South easterly on Wolfeborough line to the bound first mentioned, together with the Inhabitants thereon, Be & Hereby is annexed to, and incorporated with, the said Town of Wolfeborough As fully, and to all Intents & purposes as tho it had been expressly included therein by said Act of Incorporation.

Provided nevertheless that nothing herein contained shall be so understood as shall hinder the General Court on Application of Moses Brown who is included in this Bill from being annexed to the town of Ossipee with that part of Wolfeborough Addition which lays on the Northeasterly side of the Road that runs Southerly by said Brown's now dwelling house.

[CHAPTER 11.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT TO INCORPORATE CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER PISCATAQUA RIVER BETWEEN BLOODY-POINT AND FURBERS FERRY SO CALLED AND FOR SUPPORTING THE SAME—

[Approved December 4, 1800. Original Acts, vol. 16, p. 127; recorded Acts, vol. 13, p. 71. The act referred to is dated June 20, 1793, id., vol. 8, p. 173. See also act of June 13, 1796, id., vol. 10, p. 44.]

Whereas the Proprietors of said Piscataqua Bridge neglected to hold their annual Meeting on the second Wednesday of November last for the choice of the Officers of said corporation as is provided by the By-laws of said Corporation.—

Therefore—Be it enacted by the Senate and House of Representatives in General Court convened that the said Proprietors may and they hereby are authorised to meet at the Court-House in Portsmouth in the County of Rockingham on the second Wednesday of January next at two of the Clock in the afternoon and then & there choose and appoint the Officers of said corporation and do & transact any other business in the same way & manner they might have done the same at a Meeting duly holden on the said second Wednesday of November last, and that all matters and things done & transacted at such Meeting so to be holden as aforesaid shall have

the same force & validity as if done at a Meeting duly holden on the said second Wednesday of November last.

And be it further enacted that Thomas Martin of said Portsmouth Esquire be & he hereby is authorized & directed to give notice of said Meeting so to be holden by an advertisement published in the New Hampshire Gazette fourteen days at least before the said second Wednesday of January next.—

[CHAPTER 12.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN LOCATIONS, AND STATE LANDS IN
THE COUNTY OF GRAFTON, INTO A TOWN BY THE NAME OF
ADAMS

[Approved December 4, 1800. Original Acts, vol. 16, p. 128; recorded Acts, vol. 13, p. 73.]

Whereas Isaac Meserve, and others have preferred a Petition to the general Court, requesting, That certain Locations, with other Lands, situate in the County of Grafton, might, for certain Reasons therein stated, be incorporated, into a Town, which after a full Hearing, appeared to be just, and reasonable. Therefore—

Be it enacted, by the Senate, and House of Representatives in general Court convened, That a Township be, and hereby is erected and incorporated in The County of Grafton by The Name of Adams including, The Lands, commonly called, Fowle's, Gilman's, Gridley's, Roger's and Wentworth's Locations, in said County, with certain State Lands, Butted, bounded, and described, as follows viz Beginning at the most northerly Corner Bound of a Tract of Land Granted to Wentworth and Rogers, From Thence runs South eighty one Digrees, East, seven Miles to the Northwesterly Corner Bound of Chatham; Thence South Six and a half Digrees, West, seven Miles, and a hundred and thirty four Rods, by Chatham, to the Southermost Line of Fowle's Location, Thence by States Land McMillan's, Starks, Gray's, and States Land, To The Bound began at, containing (exclusive of said Locations) thirteen Thousand, eight hundred & ninty three, and three quarters of Acres of Land; And the Inhabitants of said Locations, and States Land bounded as aforesaid, are hereby erected into a Body politic and Corporate to have Continuance and Succession Forever, and are invested with all The Powers, Priviliges Rights, Benefits and Immunities, which any Towns in this State, by Law hold and enjoy:

To have and to hold to said Inhabitants, and their Sucessors, forever. And the said Silas Meserve, or James Trickey are hereby

appointed, and authorised to call the first Meeting of said Inhabitants, for the Purpose of choosing all necessary, and customary Town officers, giving at least fourteen days Notice of the Time and Place of holding said Meeting, in said Town of Adams and the Articles to be acted upon in said Meeting, one of whom shall attend and preside in said Meeting, untill a Moderator shall be chosen; and The Officers then & there chosen, shall be invested with all the Powers and Authorities, That like officers of any other Towns, in this State are by Law invested with. And the Meetings of the Inhabitants of said Town, for the Choice of Town officers shall be holden on the first Wednesday of March annually forever.—

Provided that the State Lands included within the Foregoing Incorporation shall not be liable to Taxation, while the Property thereof remains in the State

[CHAPTER 13.]

State of }
New Hampshire. }

AN ACT RELATIVE TO GRAND JURORS.

[Approved December 6, 1800. Original Acts, vol. 16, p. 129; recorded Acts, vol. 13, p. 76. Laws, 1805 ed., p. 106; id., 1815 ed., p. 121. Repealed July 4, 1827, id., 1830 ed., p. 464.]

Whereas the travel and attendance of Grand jurors at the Courts of Common Pleas are unnecessary.

Be it enacted by the Senate and house of Representatives in General Court convened, That the paragraphs in the several laws relative to the appointment, travel, & attendance, & duty of Grand Jurors at the several & respective Courts of Common Pleas in this State be and hereby are repealed.

[CHAPTER 14.]

State of }
New Hampshire. }

AN ACT TO AUTHORISE ARIEL JACOBS TO ASSUME THE NAME OF JOSEPH JACOBS.—

[Approved December 6, 1800. Original Acts, vol. 16, p. 130; recorded Acts, vol. 13, p. 78.]

Whereas Ariel Jacobs of Lime, in the County of Grafton in said State husbandman has petitioned the General Court praying that he may be authorised to assume the name of Joseph Jacobs, and the said prayer appearing reasonable— therefore

Be it enacted by the Senate and house of Representatives in General Court convened, that the said Ariel Jacobs be and he is hereby authorised to assume the name of Joseph Jacobs, and may by that name hereafter be known and called, sue and be sued: provided that nothing in this act contained shall affect any action already commenced, or any written contract already made, in which the said Ariel Jacobs is a party.—

[CHAPTER 15.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE A COMPANY BY THE NAME OF THE PROPRIETORS OF THE FOURTH TURNPIKE ROAD IN NEW HAMPSHIRE

[Approved December 8, 1800. Original Acts, vol. 16, p. 131; recorded Acts, vol. 13, p. 79. See additional acts of June 17, 1807, id., vol. 17, p. 32, and July 6, 1833, id., vol. 30, p. 150.]

Be it enacted by the Senate and house of Representatives in General Court convened, that Elisha Payne, Russell Freeman and Constant Storrs and their associates and successors be and they are hereby incorporated and made a body corporate and politic under the name of the Proprietors of the fourth Turnpike road in New Hampshire and in that name may sue and prosecute and be sued and prosecuted to final judgment and execution and shall be and hereby are vested with all the powers and privileges which by law are incident to corporations of a similar nature

And be it further enacted That the said Elisha Payne or Russell Freeman shall call a meeting of said Proprietors by advertisement in the newspapers printed a Concord and Hanover to be holden at any suitable time and place at least thirty days from the first publication of said advertisement and the proprietors by a vote of the majority of those present or represented at said meeting, accounting and allowing one vote to each share in all cases, shall choose a Clerk, who shall be sworn to the faithful discharge of said office and shall also agree on the method of calling meetings and at the same or at any subsequent meetings may elect such officers and make and establish such rules and bye laws as to them shall seem necessary and convenient for the regulation and government of said Corporation for carrying into effect the purpose aforesaid and for collecting the tolls herein after established and the same by laws may cause to be executed and annex penalties to the breach thereof, provided the said rules and bye laws are not repugnant to the constitution and laws of this State and all representations shall be proved by writing signed by the person to be represented, which shall be filed with the Clerk and this act and all rules, regulations and proceed-

ings of said corporation shall be fairly and truly recorded by the clerk in a book or books provided and kept for that purpose. And be it further enacted That the said corporation are empowered to survey, lay out, make and keep in repair a turnpike road of four rods wide in such rout or tracts, as, in the best of their judgment and skill shall combine shortness of distance with the most practicable ground from the east bank of Connecticut river in the town of Lebanon nearly opposite to the mouth of White river, eastwardly to the west bank of Merrimac river in the town of Salisbury or Boscawen and also to survey, lay out make and keep in repair as aforesaid a turnpike road four rods wide from the east abutment of White river falls Bridge in Hanover, south eastwardly, till it intersects the road first mentioned and to be a branch thereof.

And be it further enacted That if said proprietors and the owners of land over which the road may run shall disagree on the compensation to be made for said land and the building or buildings thereon standing and shall not agree in appointing persons to ascertain such compensation the Judges of the, Superior Court of Judicature holden within and for the county in which said land lies, upon the application of said proprietors or of the owner or owners of such land, reasonable notice of such application having been given by the applicants to the adverse party, shall appoint a committee who shall ascertain the same, in the same way as compensation is made to owners of land for highways as usually laid out, and execution, on non payment shall issue against said proprietors of course

And be it further enacted That the corporation may erect and fix, such and so many gates or turnpikes upon and across said road, as will be necessary and sufficient to collect the tolls and duties herein after granted to the said company, from all persons travelling in the same with horses, cattle, carts and carriages.

And be it further enacted That it shall be lawful for said corporation to appoint such and so many toll gatherers, as they shall think proper to collect and receive of and from all and every person or persons using said roads the tolls and rates herein after mentioned and to prevent any person riding, leading or driving any horses, cattle, hogs, sheep, sulkey, chair, phaeton, coach, charriot, cart, waggon, sleigh, sled or other carriage of burthen or pleasure from passing through the said gates or turnpikes, until they shall have respectively paid the same, that is to say for every mile of said road and so in proportion for a greater or less distance or greater or smaller number of sheep, hogs or cattle Viz^t— for every fifteen sheep or hogs, one cent:—for every fifteen horses or cattle, two cents:— for every horse and his rider or led horse, three fourths of one cent— for every sulkey, chair or chaise with one horse and two wheels, one and an half cent;— for every charriot coach, stage, waggon, phaeton or chaise with two horses and four wheels, three

cents;— for either of the carriages last mentioned with four horses, four cents:— for every other carriage of pleasure the like sums, according to the number of wheels, and horses drawing the same, for each cart or other carriage of burthen with wheels, drawn by one beast, one cent;— for each waggon, cart or other carriage of burthen drawn by two beasts, one and an half cents: if by more than two beasts, one cent, for each additional yoke of oxen or horse:— for each sleigh drawn by one horse, three fourths of one cent if drawn by two horses, one and an half cents and if by more than two horses, half a cent for every additional horse;— for each sled drawn by one horse half of one cent:— for each sled drawn by two horses or a yoke of oxen, one cent; and if by more than two horses or one yoke of oxen, one cent, for each additional pair of horses or yoke of Oxen and at all times, when the toll gatherer shall not attend his duty, the gates shall be left open, and if any person shall, with his carriage, team, cattle or horses, turn out of said road to pass the said turnpike gates, on ground adjacent thereto, said ground not being a public highway, with intent to avoid the payment of the toll due by virtue of this act, such person shall forfeit and pay three times so much as the legal toll, would have been to be recovered by the Treasurer of the said corporation to the use thereof in an action of debt or on the case. Provided that nothing in this act, shall extend to entitle the said corporation to demand toll of any person, who shall be passing with his horse or carriage, to or from public worship, or with his horse, team or cattle or on foot, to or from any mill or on their common or ordinary business of family concerns, within the town where such person belongs

And be it further enacted That the said proprietors are hereby empowered to purchase and hold in fee simple so much land as will be necessary for said turnpike road, and the share or shares of any of said proprietors, may be transferred, by deed duly executed and acknowledged and recorded by the clerk of said proprietors on their records and the share or shares of any proprietor may be sold by said corporation on nonpayment of assessment duly made agreeably to the by laws that may be agreed-upon by the said corporation.

And be it further enacted That no toll shall be taken by said corporation for any mile of said road until six hundred dollars shall have been expended thereon or a proportionate sum upon the whole number of miles, reckoning from said east bank of Connecticut river, to said west bank of Merrimac river where said road shall terminate.

And be it further enacted That said corporation may be indicted for defect of repairs of said road, after the toll gates are erected, and fined in the same way and manner as towns are by law finable for suffering roads to be out of repair, and said fine may be levied

on the profits and tolls arising or accruing to said proprietors. Provided nevertheless And be it further enacted That if said turnpike road shall in any part be the same, with any highway now used, it shall not be lawful for said corporation to erect such gate or turnpike on or across said part of the road that now is used and occupied as a public highway, anything in this act to the contrary notwithstanding.

And be it further enacted That when said proprietors shall make it appear to the Judges of the Superior Court of Judicature that they have expended said sum of six hundred dollars on each mile or a proportionable sum as aforesaid, the proprietors shall have the liberty to erect the gates as aforesaid And be it further enacted That each of the towns through which said road shall be laid shall have a right and be permitted to become an associate with the original proprietors, in said corporation: and in case of the refusal or neglect of any such town, any inhabitant or inhabitants thereof, shall have the same right Provided however, that such towns and inhabitants, respectively, shall be limited in said privilege of becoming associates, to such number of shares, as shall bear the same proportion to the whole number of shares, as the number of miles of said road within such town shall bear to the whole number of miles of said road Provided also that such towns and inhabitants, shall accept the privilege hereby reserved, and become associates by making application for that purpose to the directors or clerk of said corporation, or in case no directors or clerk shall then be appointed, to the original proprietors, within three months after the public notice hereinafter directed, shall have been given by said corporation

And be it further enacted That said corporation shall immediately after the rout of said road shall be marked out and established, cause public notice thereof to be given by advertising the same three weeks successively in the news papers printed at Concord and Hanover

And be it further enacted That at the end of every six years after the setting up any toll gate an account of the expenditures upon said road and the profits arising therefrom, shall be laid before the legislature of this State under forfeiture of the privileges of this act in future and a right is hereby reserved to said legislature to reduce the rates of toll, beforementioned, as they may think proper, so however that if the neat profits shall not amount to more than twelve per cent per annum the said rates of toll shall not be reduced

Provided nevertheless And be it further enacted That whenever the neat income of the toll shall amount to the sums which the proprietors have expended on said Road with twelve per cent on such sums so expended from the times of their actual disbursement, the said road, with all its rights, privileges and appurtenances shall

revert to the State of New Hampshire and become the property thereof to all intents and purposes any thing in this act to the contrary notwithstanding.

And be it further enacted That if in six years the said road shall not be compleated, according to the provision of this act, every part and clause thereof shall be null and void Provided also that the State of New Hampshire may at any time after the expiration of forty years, from the passing this act, repay the proprietors of said road, the amount of the sums expended by them thereon, with twelve per cent per annum in addition thereto deducting the toll actually received by the proprietors And in that case the said road, with all its privileges and appurtenances shall, to all intents and purposes, be the property of the State of New Hampshire, any thing in this act to the contrary notwithstanding.

And be it further enacted That the directors and clerk of said corporation, shall whenever hereafter required by a committee appointed for that purpose by the legislature of this State exhibit to said committee under oath, if required a true account of all expenditures upon said road and all incidental charges appertaining to the same and also a true account of the toll received up to the time of exhibiting such accounts, under forfeiture of the privileges of this act in future

[CHAPTER 16.]

State of }
New Hampshire. }

AN ACT IMPOWERING CHARLES MARY WENTWORTH TO HOLD CERTAIN REAL ESTATE IN THIS STATE.

[Approved December 8, 1800. Original Acts, vol. 16, p. 132; recorded Acts, vol. 13, p. 92.]

Whereas Joseph Peirce of Alton in the County of Strafford Esquire hath petitioned the General Court stating that Daniel Rindge of Portsmouth in the County of Rockingham Esquire deceased in and by his last Will and Testament devised a certain part of his real Estate to Charles Mary Wentworth an Inhabitant of Nova Scotia who is an Alien and incapable of holding real Estate in this State; and that the intention of the said Testator may be carried into effect prayed that an Act may be passed authorising the said Charles Mary Wentworth to take, hold, possess and enjoy the said real Estate in the same manner he could have done had he been a Citizen of this State: which prayer appearing reasonable.

Be it therefore enacted by the Senate and House of Representatives in General Court convened that the said Charles Mary Wentworth be impowered and he is hereby impowered and authorised to

take, hold, possess, sell and convey the said real Estate devised to him in manner aforesaid as fully and absolutely as if he the said Charles Mary Wentworth was a Citizen of this State.

Provided nevertheless that nothing in this Act shall be construed to give the said Charles Mary Wentworth any other Right of Citizenship than simply to take, hold, possess, sell and convey the said real Estate devised to him in manner aforesaid.

[CHAPTER 17.]

State of }
New Hampshire. }

AN ACT TO ENABLE MARY RAMSEY TO SELL LANDS OF HER LATE HUSBAND JAMES RAMSEY

[Approved December 8, 1800. Original Acts, vol. 16, p. 133; recorded Acts, vol. 13, p. 98.]

Whereas Mary Ramsey, wife of James Ramsey late of Greenfield in the County of Hillsborough deceased, in her Capacity of Administratrix, preferred a Petition to the General Court of this State Setting forth that the said James in his Life Time did Sell and convey, for a valuable Consideration, to Stephen Gould of said Greenfield, a certain Tract of Land situate in said Greenfield, and it being made to appear That the said Stephen lost his said Deed before Recording, by some Accident, and Praying That She may be impowered to give the said Gould a good and valid Deed to quiet him in his Possession thereof, which Appearing reasonable Therefore—Be it enacted by the Senate and House of Representatives, in general Court convened, That the said Mary Ramsey in her said Capacity be impowered, and She is hereby authorised, to make Seal, execute and acknowledge, in due Form of Law, To the said Stephen Gould, and his Heirs, and Assigns, a good and valid Deed, or Assurance in Writing of the said Tract of Land, with the Appurtenances thereof, & according to The Bounds, thereof, as granted by The said James, her Husband in his Life Time, which shall create and vest in him the said Stephen Gould and his Heirs and Assigns, a good and sufficient Estate of Inheretance, as if said Deed had not been lost, any Law, Usage or Custom to the Contrary notwithstanding—

Provided That this Act, shall not make the said Mary liable to pay to the said Stephen, his Heirs, or assigns, any Damage, on any Covenant in her said Deed, in Case The aforementioned Deed shall be found—

[CHAPTER 18.]

State of }
New Hampshire. }

AN ACT ALLOWING A LARGER PER CENTUM OF INTEREST TO PURCHASERS OF LAND, SOLD AT PUBLIC VENDUE, BY COLLECTORS OF TAXES, THAN IS BY LAW NOW ESTABLISHED.

[Passed December 9, 1800, without the approval of the governor. Original Acts, vol. 16, p. 134; recorded Acts, vol. 13, p. 60. Laws, 1805 ed., p. 924; id., 1815 ed., p. 270.]

Be it enacted by the Senate and House of Representatives in General Court convened, that every purchaser of land, sold at public Vendue, by any Collector of taxes, for the collection thereof, shall be entitled to have and receive, at the rate of twelve per centum per Annum, upon his said purchase money, instead of six per centum, as is by law now established; and all Sheriffs proprietary Collectors, and all other Collectors of taxes on land sold as aforesaid, are hereby authorised and directed to govern themselves accordingly, any law, usage or custom to the contrary notwithstanding.

[CHAPTER 19.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE SOCIAL LIBRARY IN LOUDON IN SAID STATE.

[Approved December 9, 1800. Original Acts, vol. 16, p. 135; recorded Acts, vol. 13, p. 94.]

Be it enacted by the Senate and House of Representatives in General Court convened that Jedediah Tucker, Enoch Wood, Samuel Piper, Eliphalet Wood and John Ladd and their Associates Proprietors of said Library and all such as may hereafter become Proprietors of the same be and they hereby are incorporated into a body politic by the name of the Proprietors of the Social Library in Loudon with continuation and succession forever and in that name may sue and be sued in all personal Actions and may prosecute and defend the same to final judgment and execution; And they are hereby vested with all the powers and privileges incident to Corporations of a similar nature and may enjoin penalties of disfranchisement or fine not exceeding four Dollars for each offence to be recovered by said proprietors in an Action of Debt to their use in any Court in this State proper to try the same and may

make purchase and receive subscriptions, grants and donations of personal estate not exceeding the sum of one thousand Dollars including the books in said Library for the purpose of their Association.

And be it further enacted that said proprietors be and they hereby are authorised to assemble in said town of Loudon on the last Monday of March annually to choose all such Officers as may be found necessary for the orderly conducting the affairs of said Corporation who shall continue in Office until others are choosen in their room and said Corporation may assemble as often as may be found necessary for filling up any vacancies which may happen in said Offices and for transacting all other business excepting the raising of money which shall not be done except at an annual meeting; at which annual meeting they are impowered to vote all such sums which shall be found necessary for defreying the annual expences of preserving said library and for enlarging the same, and shall make and enact such Rules and By-laws for the Government of said Corporation as may from time to time by them be found necessary provided the same be not repugnant to the Constitution and laws of this State or of the United States.

And be it further enacted that Enoch Wood and Samuel Piper or either of them are hereby authorised and impowered to call the first meeting of said Proprietors at such time and place as they may appoint by posting up a Notification expressing the time, place and design of said Meeting at the Meeting-house in said town at least fourteen days before the time of said Meeting and the Proprietors at said meeting may agree on the manner of calling meetings in future, and shall have all the powers to make Rules and By-laws and choose all Officers as they may or can do at their annual Meeting.

[CHAPTER 20.]

State of }
New Hampshire. }

AN ACT GRANTING LIBERTY TO BUILD DAMS ACROSS WINNIPISSIOKEE RIVER UNDER CERTAIN LIMITATIONS.

[Approved December 9, 1800. Original Acts, vol. 16, p. 136; recorded Acts, vol. 13, p. 100. Laws, 1805 ed., p. 391. Repealed June 20, 1811, id., 1815 ed., p. 444.]

Whereas great difficulties occur, and damages are sustained by the Inhabitants of the towns adjacent to Winnipissiokee River in consequence of an Act intituled "An Act to prevent the destruction of "Salmon, Shad and Alewives, and for repealing all Acts heretofore "made for that purpose" passed the eighteenth of June one thousand, seven hundred and ninety restricting the building or keeping

of any dam across said River or streams that run into the same, from the first day of May to the last day of October annually, and whereas it fully appears that the purposes of said Act for the preservation of said fish can be answered, and the mills upon Winnipissiokee River made much more productive and accomodating, by confining the aforesaid restriction from the fifteenth of May to the twentieth of June, and from the twentieth of August to the twentieth of September annually.—Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened, that it shall and may be lawful for the Owners or Proprietors of Mill-seats upon Winnipissiokee River to build dams across said River;—provided they keep open a sufficient passage for the fish to be ascertained and accepted by the Selectmen of the two next adjacent Towns from the fifteenth of May to the twentieth of June and from the twentieth of August to the twentieth of September annually: Any thing in the aforesaid Act to the contrary notwithstanding.

[CHAPTER 21.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS, FOR THE PURPOSE OF BUILDING A BRIDGE OVER PEMIGGAWASSETT BRANCH AT WEBSTERS FALLS, SO CALLED, BETWEEN THE TOWNS OF SALISBURY AND SANBORTON, AND FOR SUPPORTING THE SAME.

[Approved December 9, 1800. Original Acts, vol. 16, p. 137; recorded Acts, vol. 13, p. 102. See additional act of June 14, 1808, id., vol. 17, p. 256.]

Whereas a Bridge over said branch, at the place above mentioned, will be of public utility, and whereas Ebenezer Webster, Ebenezer Eastman, Joseph Clark, Samuel T. Gilman, Thomas Clough Jun^r, Ellison Fowler, Ebenezer Clark, Jonathan Ayers, Elijah Sargent and William Smith have petitioned the General Court for liberty to build the same, and to be incorporated for that purpose.—Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened, that the persons above named, together with those their associates who are or shall become proprietors in said Bridge, so long as they continue proprietors thereof, shall be a Corporation and body politic for the purpose aforesaid, under the name of the Proprietors of the Republican Bridge; and by that name may sue and be sued to final judgment and Execution and do and suffer all matters acts and things which bodies corporate may or ought to do or suffer. And the said Corporation shall and

may have a Common Seal, and the same may break, renew and alter at pleasure.

And be it further enacted that Ebenezer Webster Esq^r shall call a meeting of said proprietors by an advertisement posted up at the meeting houses in Salisbury and Sanborton to be holden at any suitable time and place after fourteen days from the first publication of said advertisement. And the said proprietors, by a vote of the majority of those present, or represented, at said meeting and allowing one vote to each share, in all cases, shall choose a Clerk who shall be sworn to the faithful discharge of said office, and they shall also agree on a method of calling future meetings, and at the same or any subsequent Meetings, may elect such Officers, and make and establish such Rules and By-laws as to them shall seem necessary or convenient, for the regulation and government of said Corporation, for carrying into effect the purpose aforesaid, and for collecting the toll herein after granted and established, and the same Rules and By-laws may cause to be executed; and may annex penalties to the Breach thereof, not exceeding ten Dollars for any one Breach— Provided said Rules and By-laws are not repugnant to the Constitution and laws of this State; and all Representations at any meeting of said Corporation shall be proved in writing signed by the person to be represented, which shall be filed by the Clerk; and this Act, and all Rules, By-laws Regulations and Proceedings of said Corporation shall be fairly and truly recorded by the Clerk in a Book or books provided and kept for that purpose.

And be it further enacted, that the proprietors aforesaid, be and hereby are permitted and allowed to erect a Bridge over Pemigawasset Branch, at Websters falls, so called, between the Towns of Salisbury and Sanbornton at any place within one mile above and one mile below said falls; and the said proprietors are hereby empowered to purchase any lands adjoining said Bridge, and to hold the same in fee simple provided it shall not exceed three Acres; and the share or shares of any of said Proprietors may be transferred by deed, duly executed, acknowledged and recorded by the Registers of Deeds in the Counties of Strafford and Hillsborough.

And be it further enacted that the shares in said bridge shall be considered as real estate and holden for the debts of the respective proprietors in the same manner their other real estate is by law holden.

And be it further enacted, that for the purpose of reimbursing said Proprietors the money expended by them in building and supporting said bridge, a toll be and hereby is granted and established for the benefit of said proprietors, according to the rates following, namely; for each foot passenger, one Cent; for each horse and rider, three Cents; for each horse and Chaise, Chair, Sulkey, or other riding Carriage, drawn by one horse only, ten Cents; for each riding sleigh drawn by one horse, four Cents; for each riding sleigh

drawn by more than one horse, six Cents; for each coach, chariot, phaeton, or other four wheeled carriage for passengers, drawn by more than one horse, twenty Cents; for each Curricule, twelve Cents; for each Cart or other Carriage of burthen, drawn by two Beasts, ten Cents; and three Cents for every additional Beast; for each horse, or neat Creature, exclusive of those rode on, or in Carriages, two Cents; for Sheep and Swine, one half Cent each; and to each team one person and no more, shall be allowed as a driver to pass free of toll.

And be it further enacted, that the exclusive Right of building and maintaining a bridge across said Pemiggawassett Branch any where within the limits aforesaid be and the same is hereby fully granted to and vested in said petitioners, and such as are, or may be associated with them and become proprietors, their heirs and assigns.

And be it further enacted, that if any tax or assessment, made by said Corporation for compleating or repairing the said bridge, on the several shares, shall remain unpaid at the time limited for the payment of the same, they may proceed to sell the delinquent's share at public Auction, as the proprietors may agree and determine; and if any overplus remains after paying the tax or assessment and charges, it shall be returned to the delinquent proprietor.

And be it further enacted, that if the above mentioned Bridge shall not be compleated for travelling within three years from the time of the passing of this Act, then this Act and every part thereof shall be null and void.

[CHAPTER 22.]

State of }
New Hampshire. }

AN ACT TO ALTER ONE OF THE TERMS OF THE COURT OF COMMON PLEAS IN THE COUNTY OF GRAFTON.

[Approved December 9, 1800. Original Acts, vol. 16, p. 138; recorded Acts, vol. 13, p. 109. Laws, 1805 ed., p. 78.]

Whereas it would be more convenient to the public that the Court of Common Pleas in and for the County of Grafton which is now by law to be holden at Plymouth in said County on the first Tuesday of September should hereafter be holden at said Plymouth on the second Tuesday of September:—Therefore,

Be it enacted by the Senate and House of Representatives in General Court convened that the Court of Common Pleas in and for the County of Grafton shall hereafter be holden at Plymouth in said County on the second Tuesday of September annually instead of the first Tuesday of September annually: Any law, usage or custom to the contrary notwithstanding

[CHAPTER 23.]

State of }
New Hampshire. }

AN ACT GRANTING A TAX OF THREE CENTS ON EACH ACRE OF LAND IN DALTON IN THE COUNTY OF GRAFTON, PUBLIC RIGHTS EXCEPTED.—

[Approved December 9, 1800. Original Acts, vol. 16, p. 139; recorded Acts, vol. 13, p. 111.]

Whereas a petition has been presented to the General Court, by Jeremiah Eames, Esquire and others praying for a tax of three cents on each acre of land in Dalton, public rights excepted, for the purpose of making and repairing roads and bridges in said town, which appearing reasonable, Therefore—

Be it enacted, by the Senate and house of Representatives in General Court convened, That a tax of three cents on each acre of land in said Dalton, public rights excepted, be raised and laid out on the public road leading from Littleton to Lancaster, through said Dalton, within two years from the passing of this act.

And be it further enacted, that Jeremiah Eames of Northumberland, and Richard C Everitt of Lancaster in said County of Grafton, Esquires, and M^r Moses Blake of said Dalton, be and they are hereby appointed a Committee to assess, collect and appropriate the said sum of three cents per acre as aforesaid, to the sole purpose of making and repairing the said road and bridges, therein, according to the true intent of this act: and that they be vested with all the powers which authorise selectmen to assess state taxes, and Collectors to collect the same, so far as is necessary to enable them to discharge the duties prescribed by this act: and said tax shall be collected in the same way and manner, as state taxes on nonresidents by law are; excepting that the list of taxes left with the Deputy Secretary shall remain in his Office untill the fifteenth day of September next after said assessment is made, instead of the first day, as by law is directed.

And be it further enacted. That the said Committee, or a majority of them, shall, in the month of May in the year wherein said tax is assessed, give public notice in the New-hampshire Gazette, and in the Newspaper printed in the County of Grafton, if any there be, three weeks successively, of the assessment and the leave granted to the resident, and noresident owners of land in said town, to work out said tax, as is herein after provided.

And be it further enacted, That the owners of land in said Dalton, shall have the liberty of working out said tax on the highway aforesaid, under the direction of said Committee whose duty it shall be to superintend the same, or appoint some suitable person for that

purpose, (for whose faithfulness said Committee shall be responsible) at the rate of six cents per hour for an able bodied man finding his own tools and diet, and for ox work including chains, at the rate of five cents per hour for each yoke of oxen: provided said labour shall be performed before the first day of September next after public notice herein before directed shall have been given.

And be it further enacted, That if the owners of land so assessed, shall neglect to pay the sum so assessed on their lands, in money or labour as aforesaid untill said first day of September, the said Committee shall then proceed to collect of every such delinquent owner the sums so assessed on his lands in the same way and manner as Collectors of State taxes are directed by law to do, and lay out the same on the highway aforesaid: provided that said money so collected shall be laid out on said highway between the fifteenth day of May and the first day of November in either of the years allowed by this act for that purpose.

And be it further enacted, That when any lands are sold at public vendue, by virtue of this act, the said Committee, or any two of them, are hereby empowered to give a good and valid deed or deeds of the same: and the same time of redemption shall be allowed, and the same mode persued in redeeming such lands, and the redemption thereof shall make such sale at vendue void in the same manner as is provided by law in cases where lands are sold for nonpayment of state taxes: provided that no such deed shall be executed till after one year from the time of sale.

And be it further enacted, That said Committee, or a majority of them shall, before they proceed to collect said tax, make and deliver their bond to the Clerk of the Court of Common Pleas within and for the County of Grafton in the penal sum of one thousand dollars conditioned for the faithful performance of all the duties required of them by this act: which bond, in case said Committee shall not perform their duties, may be sued in any Court competent to try the same; and judgment may be rendered thereon for such sum as said Court may deem just; and the one half the sum recovered shall be for the use of the proprietors of said Dalton; and the other half for the use of said County.

And be it further enacted, That said Committee shall be allowed to retain in their hands, of the monies collected pursuant to this act a sum sufficient to pay them for their time, labour and expence incurred and bestowed in discharging the duties herein assigned them: provided that such Committee shall, whenever they shall have compleated the collection and appropriation of said tax, exhibit to the Court of Common Pleas within and for the County of Grafton, their bill for such time, labour and expence; and if said Court shall allow said bill, the amount thereof shall be considered an appropriation made by said Committee agreeably to this act; and if said Court shall allow said bill only in part, the sum so allowed

shall be considered as an appropriation as aforesaid: and said Committee may appropriate the residue of the amount of such bill, within six months thereafterwards, in repairing said highway.

Provided nevertheless, and be it further enacted, that the owner of any land in said Dalton, sold for nonpayment of taxes pursuant to this act, may tender to either of the individuals of said Committee, the amount of the tax and cost for which such land was sold, within one year from the time of sale, and such tender so made shall be as good and valid in law, as if it were made to such Committee collectively. Provided also, and be it further enacted, That said Committee shall not be allowed, more than the travelling fees for one person, for travelling to and from the printing Offices, where they are required by law, to procure to be given, the public notice; in this act required.

Provided also, and be it further enacted, that as said Dalton is not organized, and has no Town Clerk appointed within the same, the copy of such sales of land as shall be made pursuant to this act, shall be lodged with the Town Clerk of Lancaster in the County of Grafton aforesaid, within one month from the time of completing the sales.—

[CHAPTER 24.]

State of }
New Hampshire. }

AN ACT TO VEST IN SAMUEL FARR AND EZEKIEL HILDRETH THE PRIVILEGE OF KEEPING A FERRY OVER A CERTAIN PART OF CONNECTICUT RIVER.

[Approved December 10, 1800. Original Acts, vol. 16, p. 140; recorded Acts, vol. 13, p. 118.]

Whereas Samuel Farr and Ezekiel Hildreth have petitioned the General Court setting forth that they or those whose estate they claim have for more than fifteen years last past kept a ferry across Connecticut River to Dummerstown in the North part of the town of Chesterfield adjoining the town of Westmoreland, known by the name of Hildreth's ferry; and that they are the Owners of land in severalty on both sides of said River where said ferry is kept, and that the privilege of keeping a ferry hath never yet been granted, and praying that the exclusive Right of keeping said ferry may be granted to them, their heirs and assigns within the following limits viz' to extend from the North line of Chesterfield bounding on Westmoreland down said River about two miles to Catsbane Island so called, being the Northern boundary of a ferry granted to William Thomas, the said limits including the aforementioned Hildreth's ferry:—The prayer of which petition appearing reasonable in part.

Therefore Be it enacted by the Senate and House of Representatives in General Court convened that the exclusive privilege of keeping a ferry with the immunities thereof over Connecticut River extending from the mouth of Governors brook, so called, down said River about one mile and an half to Catsbane Island, so called, be and hereby is granted to and vested in the said Samuel Farr and Ezekiel Hildreth their heirs and assigns until a Bridge shall be erected over said River within the limits aforesaid; they the said Samuel Farr and Ezekiel Hildreth giving bond, with sureties, in the sum of five hundred Dollars to the Clerk of the Court of Common Pleas, for the time being, for the County of Cheshire that the said ferry shall be constantly kept and well attended during said term.

And be it further enacted that the Rates of ferriage to be taken by the said Samuel Farr and Ezekiel Hildreth their heirs or assigns shall at all times be established by the Justices of the Court of Common Pleas in said County of Cheshire which Justices are hereby authorised and empowered to establish said rates of ferriage, from time to time, as they shall judge proper.

And be it further enacted that if any person shall demand or receive any greater rate of ferriage than the said Court of Common Pleas shall establish he shall for each such offence forfeit and pay to the party injured the sum of six Dollars to be recovered in an Action of debt before any Court proper to try the same.

And be it further enacted that if any person shall for hire or reward transport over said River within the limits aforesaid any person, creature or thing such person so offending shall forfeit and pay to the said Samuel Farr and Ezekiel Hildreth their heirs or assigns the sum of six Dollars to be recovered in an Action of debt before any Court proper to try the same.

[CHAPTER 25.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE A BAPTIST SOCIETY IN CONWAY.

[Approved December 10, 1800. Original Acts, vol. 16, p. 141; recorded Acts, vol. 13, p. 121. See additional act of June 17, 1807, id., vol. 17, p. 29.]

Whereas Elijah Densmore and others, have preferred a Petition to the Legislature of this State at their Sessions held at Concord, in June last, Setting forth That they had formed themselves, into a Society in the year 1794 by the Name of the Baptist Society in Conway, and have ever since been in regular Standing in The baptist Meredith Association; and That they labour under many Difficulties and Inconveniencies for want of a regular Incorporation; and

Praying that they may be incorporated, by the Name of the Baptist Society in Conway, The Prayer of which said Petition, (after due Notice given, and mature Consideration had,) appearing To be reasonable; Therefore

Be it enacted, by the Senate and House of Representatives, in general Court convened, That the Petitioners viz, Elijah Densmore, Elijah Densmore Jun^r Stephen Densmore, Thomas Densmore, John Densmore James Daniels, Hezekiah Randel Amos Merrill, Hubbard C Harreman, Philip Harreman, John Harriman, Isaac Chase, Thomas King Thomas Merrill, William Knox Moses Harreman, Sarah Thompson, John Hart Jonathan Runels Thomas F Odell, Samuel Beckford, Samuel Knox, Daniel Burrows, William Britton, Enoch Merrell Junior and John Harriman, Be, and They are hereby erected, into a Body Politic, and Corporate, with Continuance, and Succession forever, by the Name of the Baptist Society in Conway, and by that Name may sue and be sued; and the Persons afore-named, in their corporate Capacity shall be intitled to all the Privileges, Rights and Immunities incident to such Corporations, and shall have full Power and Authority To make such By Laws, and establish Such Rules & Regulations, as are conducive to the well ordering of said Corporation, Saving That The Members of said Corporation, shall Join with the Inhabitants of said Town of Conway, in The Election of Officers for the State, County, and Town of Conway and in Transacting all Town affairs; Except in Raising Money for religious Purposes.

And be it further enacted, That Elijah Densmore and Amos Merrell, or either of them, be, and they are hereby authorised, to call, and preside, at the first Meeting of said Incorporation, for the Choice of all necessary and customary Officers in such Incorporations, giving fourteen days Notice of the Time, Place, and Design of such Meeting, and The Officers so chosen shall be vested with similar Powers with like officers, chosen in any Parishes in this State, And the annual Meeting of said Incorporation shall be held on the third Tuesday of March, annually, and other Meetings at such Times as Occasion may require.

[CHAPTER 26.]

State of }
New Hampshire. }

AN ACT FURTHER TO POSTPONE THE OPERATION OF AN ACT INTITLED
 AN ACT TO REGULATE SCALE BEAMS, STEELYARDS, WEIGHTS AND
 MEASURES PASSED THE TWELVTH DAY OF DECEMBER ONE THOU-
 SAND, SEVEN HUNDRED AND NINETY SEVEN.

[Approved December 10, 1800. Original Acts, vol. 16, p. 142; recorded Acts, vol. 13, p. 125. See acts of June 20, 1798, recorded Acts, vol. 11, p. 81; December 27, 1798, id., p. 120; December 30, 1799, id., vol. 12, p. 6.]

Be it enacted by the Senate and House of Representatives in General Court convened that the operation of the aforementioned Act, and very Clause and matter therein contained be postponed for the term of one year from and after passing of this Act, and no longer.

[CHAPTER 27.]

State of }
New Hampshire. }

AN ACT TO VEST IN SOLOMON ROBBINS THE PRIVILEGE OF BUILDING
 A BRIDGE OVER CONNECTICUT RIVER IN WESTMORELAND.

[Approved December 10, 1800. Original Acts, vol. 16, p. 143; recorded Acts, vol. 13, p. 126. See additional acts of December 14, 1808, id., vol. 17, p. 386, and June 24, 1813, id., vol. 20, p. 116.]

Whereas Solomon Robbins of Westmoreland in the County of Cheshire hath petitioned the General Court and prayed that they would grant unto him and his Associates the sole and exclusive Right of making and keeping in Repair a bridge across said River at any place within the limits of said Town of Westmoreland, the prayer of which petition appearing reasonable.—Therefore

Be it enacted by the Senate and House of Representatives in General Court convened that the said Solomon Robbins and his Associates who are or shall become proprietors in said Bridge, so long as they shall continue proprietors thereof shall be a Corporation and Body Politic for the purposes aforesaid, under the name of the Proprietors of the Westmoreland Bridge and by that name may sue and be sued to final judgment and execution, and do and suffer all matters, acts and things which bodies Corporate may or ought to do or suffer; and the said Corporation shall and may have a common Seal, and the same may break, renew and alter at pleasure.

And be it further enacted that Solomon Robbins and Daniel Brooks, or either of them shall call a meeting of said proprietors by an advertisement posted at the meeting house in said Westmoreland to be holden at any suitable time and place after fourteen days from the first publication of said advertisement. And the said proprietors by a vote of the majority of those present or represented at said meeting and allowing one vote to each Share in all cases, shall choose a Clerk who shall be sworn to the faithful discharge of said Office, and they shall also agree on a method of calling future meetings and at the same or any subsequent meetings may elect such Officers and make and establish such Rules and By-laws as to them shall seem necessary or convenient, for the regulation and government of said Corporation, for carrying into effect the purpose aforesaid, and for collecting the toll herein after granted and established, and the same Rules and By-laws may cause to be executed, and may annex penalties to the breach thereof; not exceeding ten Dollars for any one breach;— provided said Rules and By-laws are not repugnant to the Constitution and laws of this State; and all Representations at any meeting of said Corporation shall be proved in writing signed by the person to be represented, which shall be filed by the Clerk, and this Act, and all Rules, By-laws, Regulations and Proceedings of said Corporation shall be fairly and truly recorded by the Clerk in a book or books provided and kept for that purpose.

And be it further enacted, that the proprietors aforesaid, be and hereby are permitted and allowed to erect a bridge at any place within the limits of said town of Westmoreland; and the said proprietors are hereby empowered to purchase any lands adjoining said bridge, and to hold the same in fee simple, provided it shall not exceed three Acres and the Share or Shares of any of said Proprietors may be transferred by deed, duly executed, acknowledged and recorded by the Register of Deeds in the County of Cheshire.

And be it further enacted that the Shares in said bridge shall be considered as real Estate and holden for the debts of the respective proprietors in the same manner their other real Estate is by law holden.

And be it further enacted, that for the purpose of reimbursing said proprietors the money expended by them in building and supporting said bridge a toll be and hereby is granted and established for the benefit of said proprietors, according to the Rates following, namely; for each foot passenger, two Cents; for each horse and Rider, six Cents; for each horse and Chaise, Chair, Sulkey, or other riding Carriage, drawn by one horse only, twelve Cents; for each riding sleigh drawn by one horse, six Cents; for each riding sleigh drawn by more than one horse, twelve Cents; for each coach, chariot, phaeton or other four wheeled carriage for passengers drawn by

more than one horse, twenty Cents; for each Cart or other Carriage of burthen, drawn by two beasts, twelve Cents; and three Cents for every additional beast; for each horse or neat Creature, exclusive of those rode on or in Carriages two Cents; for Sheep or Swine half a Cent each; and to each team one person and no more shall be allowed as a driver to pass free of toll.

And be it further enacted, that the exclusive Right of building and maintaining a bridge across said Connecticut River any where within the aforesaid limits be and the same is hereby fully granted to and vested in said Petitioner and such as are or may be associated with him and become proprietors his and their heirs and assigns.

And be it further enacted, that if any tax or assessment, made by said Corporation for compleating or repairing the said bridge on the several Shares shall remain unpaid at the time limited for the payment of the same, they may proceed to sell the delinquent's share at public auction, as the proprietors may agree and determine; and if any overplus remains after paying the tax or assessment and Charges, it shall be returned to the delinquent proprietor.

And be it further enacted, that if the above mentioned Bridge shall not be compleated for travelling within three years from the time of the passing of this Act, then this Act and every part thereof shall be null and void.

[CHAPTER 28.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CALEB ALDRICH AND OTHERS INTO A RELIGIOUS SOCIETY TO BE CALLED AND KNOWN BY THE NAME OF THE FIRST BAPTIST SOCIETY IN WESTMORELAND—

[Approved December 10, 1800. Original Acts, vol. 16, p. 144; recorded Acts, vol. 13, p. 132.]

Whereas a Petition has been presented to the General Court by a number of the Inhabitants of the Town of Westmoreland, Walpole, Surry, and Keene, praying that they with such others as may hereafter be admitted may be Incorporated into a religious society to be called and known by the name of the first Baptist society in Westmoreland which prayer appearing in part reasonable; Therefore Be it Enacted by the Senate and house of Representatives in General Court convened that Caleb Aldrich Jun^r, William Britton, Samuel Robbins, John Brown, Noah Fuller Jun^r, John Chamberlin, John Chamberlin Jun^r, Levi Ware, Oliver Smith Nehemiah Brown, Cyrus Staple, Joshua Fuller, Amos Brown Samuel Woodward, Jonathan Winchester, Seth Britton, Dudley Thomas, Daniel Wilber, Ephraim Brown, Joseph Whitney, Stephen Bowker, John White, Benjamin

Leonard; Jonathan Wilber, Jabez Stratton Elijah A. Hall, Zephaniah Leach Jun^r, William Aldrich, Rufus Smith, and Joshua Hall, Inhabitants of Westmoreland with such others as may be admitted as members hereafter living within the bounds of said Town of Westmoreland, Be and they hereby are made and erected into a body Corporate and politic with continuation and succession forever; to be called and known by the name of the first Baptist society in Westmoreland and by that name may sue and be sued prosecute and be prosecuted to final Judgment and Execution, and are hereby vested with all the powers and privileges, which are by Law, incident to Corporations of a similar nature.

And be it further Enacted that said society be and they hereby are authorised and Impowered to raise such sum or sums of Money as they shall Judge necessary for the support or maintainance of a publick teacher or teachers of piety Religion and morality, and to build or repair houses for publick worship and to choose all proper Officers for Transacting and managing the concern of said society, and to make bye Laws for regulating the same, Provided they are not contrary to the Constitution and laws of this State

And be it further enacted that William Britton, and Caleb Aldrich Jun^r, or either of them shall Warn and preside at the first Meeting of said society until a Moderator be chosen which meeting shall be warned by posting up a Notification setting forth specially all matters and things to be acted upon in said meeting at the Baptist meeting house in said Town of Westmoreland Fifteen days before the day of holding said Meeting; And be it further enacted that said society shall annually meet on the first thursday of March for the purpose of raising money, for the purposes aforesaid and for choosing all proper Officers for transacting the business of said Corporation who shall be sworn to the faithfull discharge of their duty, and all Meetings of said society in future shall be Notified or warned by the Clerk of said society who shall cause a Notification setting forth the business to be transacted at said meeting to be posted up at such place or places as said society shall direct fifteen days prior to said meeting

And be it further enacted, that no person shall be considered as Joining said society unless he or she shall sign his or her name in the Book of Records belonging to said society, and any person who shall hereafter Join said Society shall be discharged from said society— by his or her giving notice thereof in Writing to the Clerk of said society and likewise to the Clerk of said Town of Westmoreland.

Provided that all Persons who shall be discharged from said society shall be holden to pay their proportion of all debts said society shall owe in their Corporate capacity at the time of their leaving the same—

[CHAPTER 29.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE
PROPRIETORS OF THE SOCIAL LIBRARY IN NEW CHESTER—

[Approved December 10, 1800. Original Acts, vol. 16, p. 145; recorded Acts, vol. 13, p. 137.]

Be it enacted by the Senate and House of Representatives in General Court convened That Carr Huse, Esq^r Ephraim Webster, Sethus Fobes, Jacob Rowell Edward Blodget and Reuben Wells Jun^r with such persons as may hereafter become proprietors in said Library be and they hereby are Incorporated and made A body Politic, by the name of the Proprietors of the Social Library in New Chester, with continuation and Succession Forever, and in that name may sue and be Sued in all personal Actions and may prosecute and defend the Same to final Judgment and Execution & they are hereby vested with all privileges, powers and prerogatives incident to Corporations of a Similar Nature and may enjoin penalties of disfranchizement or fine not exceeding three Dollars for each Offence to be recovered by said Society in an Action of Debt to their Use in any Court proper to try the same, And they may make Purchase and receive Subscriptions, grants and donations of personal estate not exceeding One Thousand Dollars including the Books on hand for the purpose and Use of Said Corporation

And be it further enacted That said Society be and they hereby are authorised to Assemble at some convenient place in said New Chester on the first Monday in November Annually to Choose all such Officers as may be thought necessary for the orderly conducting the affairs of Said Society, who shall continue in office until others are chosen in their room, and said Corporation May assemble as often as may be found necessary for filling up any vacancy that may happen in Said offices and for transacting any other business excepting the raising of monies which shall always be done at the annual meeting and at no other time, at which time they shall vote all such Sums as may be thought necessary for defraying the annual expence of preserving said Library and for enlarging the same and said Corporation Shall have power to make such rules and by Laws for the government of said Society as may from time to time be thought Necessary, provided the Same be not repugnant to the Constitution and Laws of this State—

And be it further enacted That the said Carr Huse Esq^r and Ephraim Webster, or either of them are hereby Authorised and empowered to call the first meeting of said proprietors at such time

and place as they may think proper by putting up a notification for that purpose at some public place in said New Chester fifteen days prior to said day and the proprietors shall have power at said meeting to choose all such Officers and make such by Laws as they have at their annual Meeting—

[CHAPTER 30.]

State of }
New Hampshire. }

AN ACT MAKING COMPENSATION TO GRAND AND PETIT JURORS

[Approved December 10, 1800. Original Acts, vol. 16, p. 146; recorded Acts, vol. 13, p. 141. Laws, 1805 ed., p. 109; id., 1815 ed., p. 124. This act repeals a section of the act of June 17, 1785, Laws of New Hampshire, vol. 5, p. 67. Repealed July 4, 1827, Laws, 1830 ed., p. 464.]

Be it enacted by the Senate and house of representatives in general court convened, that each petit Juror who shall attend the Superior court of Judicature, and each petit Juror who shall attend the court of common pleas, in the several Counties in this State, be allowed one Dollar per Day, for each days attendance at such courts, to be paid together with his traveling fees as by law allowed, out of the treasury of the County, where he may attend and such fees for attendance shall be in lieu of the fees received for trials of causes.

Be it further enacted, that the fees now allowed by law to petit Jurors for trials of causes, shall be paid to the Clerks of the respective courts who shall pay over the same to the treasurer of the county where such trials are had,

And be it further enacted, that the Same Compensation shall be allowed to grand Jurors, as by this act is Allowed to petit Jurors for travel and attendance.

And be it further enacted, that the Selectmen of each Town, and of each parish (having the privilege and power of Towns) within this State, shall take a list of the names of all persons living within their respective limits qualified in the opinion of the Selectmen to serve as petit Jurors: each of whom to have an estate of freehold of seven dollars per annum or other estate to the value of two hundred dollars and shall choose out of such list one half of the number of the names contained therein selecting such persons as such Selectmen shall judge to be most suitable to serve as petit jurors and shall write their names on separate pieces of paper, and said selectmen shall choose out of said last number one half thereof and put them into a box provided for that purpose: and the persons whose names shall be so put into the said box shall serve as petit Jurors at the Superior Court: and the said Selectmen shall put the remaining

number of the names of the half first mentioned into another box to be provided: and the persons whose names Shall be so put into the box last mentioned shall serve as petit jurors at the court of common pleas.

And be it further enacted that the first Section of an act entitled an act directing and regulating the appointment and choise of petit Jurors made and passed the Seventeenth day of June Anno Domini 1785 be, and the same is hereby repealed.

And be it further enacted that each Talisman impanelled at either of the courts aforesaid shall be intituled to receive fifty cents for the trial of each action for which he may be impanelled to be paid out of the treasury of the county where such trial may be had

And be it further enacted that for the entry of every action which shall hereafter be made at the superior court of Judicature and at the several courts of common pleas within this State there shall be paid to the several Clerks therof by the person so entering said action the sum of twenty five cents in addition to the present fees for entering actions at the Courts aforesaid as by law established: Which additional sum of twenty five cents so received shall be paid by the several Clerks aforesaid into the County treasury where such entry shall be made, for the use of said County any law to the contrary notwithstanding Provided nevertheless that this Act shall not be in force until the first day of July next

[CHAPTER 31.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO, AND IN AMENDMENT OF AN ACT ENTITLED
"AN ACT FORMING AND REGULATING THE MILITIA WITHIN THIS
STATE AND FOR REPEALING ALL THE LAWS HERETOFORE MADE
FOR THAT PURPOSE" PASSED THE TWENTY EIGHTH DAY OF DECEMBER 1792

[Approved December 10, 1800. Original Acts, vol. 16, p. 147; recorded Acts, vol. 13, p. 145. Laws, 1805 ed., p. 265. The act referred to is printed in Laws, 1797 ed., p. 415.]

Be it enacted by the Senate and House of Representatives in General Court convened that Students of Academies shall not hereafter be exempted from, but shall be liable to do Military duty, any thing in the said act to the contrary notwithstanding

[ORDERS, RESOLVES AND VOTES OF A LEGISLATIVE NATURE PASSED
DURING THIS SESSION.]

1800, November 27.

Whereas a Petition has been presented to the General Court of said State setting forth that the Towns of New Holderness Campton and Thornton have for some years past been classed together as a district for the purpose of choosing a Man to Represent said Towns in said Court, and that there is now in said District more than three hundred rateable polls and that the Towns of Peeling and Trecothick adjoining said District in which there are a considerable number of Inhabitants who are unrepresented in said Court, praying that they may be made into two Districts for Representation—which prayer appearing reasonable—Therefore Resolved that the said Towns of New Holderness and Campton be and they hereby are classed together as a district for the purpose of choosing a man to represent them in said Court, and that the Towns of Thornton Peeling and Trecothick be and they hereby are classed together as a district for the purpose of choosing a man to represent them in said Court, and that said Districts shall and may possess and enjoy all such privileges and advantages as are enjoyed by any other districts for that purpose in said state—

[House Journal, 1800-5, p. 67. Senate Journal, 1797-1800, p. 445.]

1800, December 10.

Resolved that in the Opinion of the Legislature, one Session of the General Court for the year ensuing will be sufficient to transact the necessary business of the state and that the Secretary be directed to cause the same to be published in the Several news papers in the State—

[House Journal, 1800-5, p. 112. Senate Journal, 1797-1800, p. 479.]

APPENDIX.

*AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT TO INFORCE THE ASSESSING AND COLLECTING OF RATES & TAXES MADE & PASSED IN THE TWENTY SEVENTH YEAR OF HIS MAJESTYS REIGN—

[Approved February 1, 1755. Not found in the Original Acts. Recorded Acts, vol. 2, p. 292. The act referred to is dated June 30, 1753, Laws of New Hampshire, vol. 3, p. 58.]

Whereas the before recited Act doth not fully Answer the Ends & Purposes Proposed & Designed in and by the S^d Act

For remedy whereof—Be it Enacted by his Excellency the Governour Council and Assembly that the Treasurer of this Province for the Time being Shall be and hereby is Enabled Authorized & Directed to Proceed Against the Select men of any Town Parish or Precinct within this Province who heretofore have been Still are or hereafter Shall be Diliquent and Negligent of their Duty in makeing the Province rates agreable to the respective Warrants they have Already recieved or Shall hereafter recieve from the Treasurer of this Province for makeing Such rates or in returning to the Treasurer the Name of the Constable or Collector respectively who was to Collect the Same or hereafter Shall have Such rates Com'itted to them to be Collected in the Same manner and take the Same remedy as is by Law Prescribed to be taken Against Any Constable who is Neglegent in Collecting any Such Taxes or for not Paying the money when Collected agreable to the Warrant or orders given him for that End— And the Polls & Estates of Such Diliquent Select men Shall be and hereby Are Subjected to the Same

* [This act should have been printed in Volume 3, Laws of New Hampshire.]

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